

RESOLUTION No. 17-120

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY, GOING FORWARD WITHOUT A RECOMMENDATION FOR AN AMENDMENT TO THE CITY OF DORAL LAND DEVELOPMENT CODE CHAPTER 80, "SIGN REGULATIONS", ARTICLES I THROUGH V; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral (the "City") finds periodically necessary to amend its Code of Ordinances ("Code") in order to update regulations and procedures associated with changing laws and technologies; and

WHEREAS, the City has proposed significant revisions to the provisions of the Code pertaining to signage throughout the City, a copy of the Ordinance is attached hereto as Exhibit "A" (the "Sign Code Amendment"); and

WHEREAS, the propose of the Sign Code Amendment is to comply with applicable legal precedent, provide for new technologies, and enhance the attractiveness and economic well-being of the City as a desirable place to live and conduct business; and

WHEREAS, pursuant to law, notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Sign Code Amendment and of the public hearings; and

WHEREAS, on June 20, 2017, the City Council of the City of Doral sitting as he Local Planning Agency (LPA) at a properly advertised hearing received evidence and information regarding the Sign Code Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL SITTING AS THE LOCAL PLANNING AGENCY OF THE CITY OF DORAL, AS FOLLOWS:

Section 1. Recitals Adopted. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Recommended Position. The Sign Code Amendment, as provided in Exhibit "A", which is incorporated herein and made a part hereof by this reference, is consistent with the City's Comprehensive Plan, and, therefore, this item is transmitted to the City Council without a recommendation.

Section 3. Effective Date. This Resolution shall become effective immediately.

The foregoing Resolution was offered by Vice Mayor Cabrera who moved its adoption.

The motion was seconded by Councilmember Mariaca and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes
Councilwoman Ana Maria Rodriguez	Absent/Excused

TRANSMITTED WITHOUT A RECOMMENDATION TO THE LOCAL GOVERNING BODY (CITY COUNCIL) THIS 20 DAY OF JUNE, 2017.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, SMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY

EXHIBIT “A”

ORDINANCE No. 2017-12

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING AN AMENDMENT TO THE LAND DEVELOPMENT CODE CHAPTER 80, "SIGN REGULATIONS", ARTICLES I THROUGH V; APPROVING AN AMENDMENT TO THE CODE OF ORDINANCES CHAPTER 14, "ELECTIONS," BY STRIKING ARTICLE IV, "POLITICAL SIGNS"; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral (the "City") finds periodically necessary to amend its Code of Ordinances ("Code") in order to update regulations and procedures associated with changing technologies; and

WHEREAS, the purpose of this Ordinance is to update the City's sign regulations to promote and advance a legitimate government interest related to public health, safety, morals and general welfare; and

WHEREAS, the propose updated sign regulations in this Ordinance will enhance the attractiveness and economic well-being of the City as a desirable place to live and conduct business; and

WHEREAS, pursuant to law, notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Ordinance and of the public hearings; and

WHEREAS, the City Council hereby finds that the adoption of this ordinance is in the best interest and welfare of the residents of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. The above recitals are true, correct, and incorporated herein by this Ordinance upon adoption hereof.

Section 2. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of and exercise the authority set forth in the Comprehensive Plan and Land Development Regulations, as amended, pursuant to Part II of Chapter 163, Fla. Stat., Community Planning Act, as amended. Specifically, Section 163.3202(2)(f), Fla. Stat., requires local land development regulations to contain specific and detailed provisions including at a minimum the regulation of signage.

Section 3. Chapter 80 of the City Code Amended. Chapter 80 of the City's Land Development Code is hereby amended as follows:

Chapter 80 - SIGN REGULATIONS

ARTICLE I. - IN GENERAL

Sec. 80-1. - Short title and applicability.

This chapter shall be known as the "Sign Code of City of Doral, Florida" and shall be applicable in the entire city.

Sec. 80-2. – Scope, Purpose and intent.

A. Scope.

- (1) The provisions of this article shall govern the number, size, location, and character of all signs which may be permitted either as a main or accessory use under the terms of this article. No signs shall be permitted on a plot or parcel either as a main or accessory use except in accordance with the provisions of this article.
- (2) This article does not regulate government signs on government property, including but not limited to City signs on property owned by the City, the County or the State of Florida, and traffic control devices.
- (3) In the event of any conflict between this article and any declaration of covenants, bylaws, or other restrictions applying to any property

within the City, the language affording the more restrictive interpretation shall apply.

- (4) The City specifically finds that these sign regulations are narrowly tailored to achieve the compelling and substantial governmental interests of traffic safety and aesthetics, and that there is no other way for the City to further these interests.

B. Purpose.

- (1) Florida Constitution. Article II, Section 7 of the Florida Constitution provides that “[i]t shall be the policy of the state to conserve and protect its natural resources and scenic beauty...” A beautiful environment preserves and enhances the desirability of the City as a place to live and to do business. Implementing the Florida Constitution is a compelling government interest.
- (2) Florida Statutes. Florida law requires cities to adopt comprehensive plans and implement them through land development regulations (also known as zoning regulations) and approval of development orders that are consistent with the comprehensive plan. See Part II of Chapter 163, Florida Statutes. Florida law specifically requires that the City adopt sign regulations. See Section 163.3202(s)(f), Florida Statutes. Complying with state law is a compelling governmental interest.
- (3) City Comprehensive Plan. The City’s Comprehensive Plan has numerous provisions that require the City to ensure the aesthetic character of the City and to ensure traffic safety on roads within the City through the regulation of signs, as set forth in detail below. Implementing the City Comprehensive Plan is a compelling governmental interest.
 - a. City Comprehensive Plan Elements. Located in Northwest Miami-Dade County, the area now known as Doral first developed in the late 1950s. Since its incorporation in 2013, Doral has experienced rapid growth, which has led to the current population of over 59,000. With a large number of shops, financial institutions and businesses, the City has a

reputation for having a good mix of business advantages and lifestyle appeal. It has been ranked in the top 100 cities by both Fortune Small Business and CNN Money for its quality of life. The goals, policies and objectives of the Comprehensive Plan, adopted in 2006, as amended, recognized the need to maintain and enhance these characteristics through land use controls, an emphasis on aesthetics and scenic beauty, and ensuring the safe movement of all forms of transportation.

b. *City Comprehensive Plan Goals, Objectives and Policies.* Several goals, objectives and policies of the City's Comprehensive Plan require the City to maintain its scenic beauty and traffic safety through its land development regulations and actions:

Goal 2: Provide for a safe, convenient, effective, and energy efficient multimodal transportation system, which is intricately related to the land use pattern and improves the level of mobility of all of the City's residents and visitors.

Policy 3.1.3: Through the development review process, ensure safe and convenient on-site traffic flow, which considers needed motorized and non-motorized vehicle parking.

Objective 3.4: Safe Pedestrian Environment Provide a safe, convenient, continuous, and comfortable pedestrian environment as part of the transportation system that promotes walking.

Policy 3.4.3: Sidewalks shall be kept clear of signs, furniture and other pedestrian obstacles that reduce the acceptable clear width of the sidewalk.

(4) *Land Development Code.* The goals, objectives, and policies contained in the Comprehensive Plan provide the overall policy framework from which zoning and other land development regulations (the Land Development Code) were developed. The Comprehensive Plan repeatedly identified the need for such regulations. Together, the Plan and LDC, as implementing tools, ensure that the development patterns for future land uses within Doral match the community vision and quality-of-life expectations of

its residents. Among the purposes of the Land Development Code are the following: (1) Enhance the character of the city and the preservation of neighborhoods; and (2) Enhance the quality of life of all residents and property owners of the city. More specifically, the purpose of the LDC is to create value for the citizens of the city by: (1) Ensuring that development and redevelopment will not have a negative impact on the value of surrounding properties and wherever practicable promoting development and redevelopment which will enhance the value of surrounding properties; and (2) Strengthening the city's economy and increasing its tax base as a whole. Further, it is the purpose of this Land Development Code to make the beautification of the city a matter of the highest priority and to require that existing and future uses and structures in the city are attractive and well-maintained to the maximum extent permitted by law. Finally, it is the purpose of this Land Development Code to: (1)Protect the character and the social and economic stability of all parts of the city through the establishment of reasonable standards which encourage the orderly and beneficial development of land within the city; (2)Protect and conserve the value of land throughout the city and the value of buildings and improvements upon the land, and minimize the conflicts among the uses of land and buildings; and (3)Preserve the natural resources and aesthetic character of the community for both the resident and tourist population consistent with the city's economic underpinnings.

- (5) Case law. In accordance with the U.S. Supreme Court's cases on sign regulation, the regulations in this article are not intended to regulate or censor speech based on its content or viewpoint, but rather to regulate the secondary effects of speech that may adversely affect the City's compelling governmental interests in preserving scenic beauty and community aesthetics, and in vehicular and pedestrian safety in conformance with the First Amendment. These cases include, but are not limited to:
- a. Reed v. Town of Gilbert, ___ U.S. ___, 135 S. Ct. 2218, 192 L. Ed. 2d 236 (2015) on the topic on noncommercial temporary signs;
 - b. Metromedia, Inc. v. City of San Diego, 453 U.S. 490 (1981) on the topic of commercial signs and off-premise signs;
 - c. City of Ladue v. Gilleo, 512 U.S. 43 (1994) on the topic of political protest signs in residential areas;
 - d. Linmark Assocs., Inc. v. Township of Willingboro, 431 U.S. 85 (1977) on the topic of real estate signs in residential areas;

- e. Burson v. Freeman, 504 U.S. 191 (1992) on the topic of election signs near polling places;
- f. Central Hudson Gas & Electric Corp. v. Public Service Commission, 447 U.S. 557 (1980) on the topic of commercial speech; and
- g. City Council v. Taxpayers for Vincent, 466 U.S. 789 (1984) on the topic of signs on public property.

(6) Impact of sign clutter. Excessive signage and sign clutter impair the legibility of the environment and undermines the effectiveness of governmental signs, traffic control devices and any other required signs (such as warning signs) that are essential to identifying locations for the delivery of emergency services and other compelling governmental purposes. The intent of these sign regulations is to enhance the visual environment of the City, ensure that City residents and visitors can safely navigate through the City to their intended destinations, and promote the continued well-being of the City. It is therefore the purpose of this article to promote aesthetics and the public health, safety and general welfare, and assure the adequate provision of light and air within the City through reasonable, consistent and nondiscriminatory standards for the posting, displaying, erection, use, and maintenance of signs that are no more restrictive than necessary to achieve these governmental interests.

C. Specific Legislative Intent.

~~The intent of these purposes of these sign regulations are to intended to: to encourage the effective use of signs as a means of communication in the City; to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. This sign ordinance is adopted under the zoning authority of the City in furtherance of the more general purposes set forth in the zoning ordinance. Specifically, the City Council finds that:~~

(1) Provide for proper regulation of signs as is a necessary prerequisite to a peaceable, orderly and safely designed business environment. Encourage the effective use of signs as a means of communication in the City;

(2) ~~Maintain and enhance the scenic beauty of the aesthetic environment and scenic beauty of the City in order ability to attract sources of economic development and sustainable growth; An improperly regulated sign environment imposes health and safety dangers to the public.~~

(3) ~~The result of effective sign regulation will be to~~ Lessen hazardous conditions, confusion and visual clutter, caused by the proliferation, improper placement, illumination and excessive height and size of signs that compete for the attention of pedestrian and vehicular traffic, and impede vision of traffic, traffic control signs and devices;

(4) Ensure pedestrian and traffic safety. Uncontrolled and unlimited signs may result in a roadside clutter that impedes the flow of information, thereby defeating the purpose of signage and creating hazards to drivers and pedestrians.

(5) ~~Minimize the possible adverse effect of signs on nearby public and private property; Uncontrolled and unlimited signs degrade the aesthetic attractiveness of the natural and manmade attributes of the community and thereby undermine the economic value of tourism, visitation and permanent economic growth.~~

(6) ~~Foster the integration of signage with architectural and landscape designs; Through proper regulation of signs, the attractiveness and economic well-being of the City of Doral will be enhanced as a place to live, work and conduct business.~~

(7) ~~Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs. Signs provide an important medium through which individuals may convey a variety of noncommercial and commercial messages. However, left unregulated, signs can become a threat to public safety as well as a traffic hazard. Such signs may also constitute an aesthetic nuisance and be a detriment to property values and the city's public welfare. The mayor and council intend by enacting this chapter to:~~

- a. ~~Balance the rights of individuals to convey their message through signs and the right of the public to be protected against the unrestricted proliferation of signs;~~
- b. ~~Further the objectives of the city's comprehensive plan;~~
- c. ~~Protect the public health, safety, welfare, and aesthetics of the city;~~
- d. ~~Reduce traffic and pedestrian hazards;~~
- e. ~~Maintain the city's image as one of excellence;~~

- ~~f. — Protect property values by minimizing the potentially adverse effects and visual blight caused by signs;~~
- ~~g. — Promote economic development; and~~
- ~~h. — Ensure the fair and consistent enforcement of sign regulations.~~

~~(8) Encourage and allow signs that are appropriate to the zoning district in which they are located consistent with and serving the needs of the land uses, activities and functions to which they pertain; While specifically establishing regulations to control signs within the city, it is not the intent of this chapter:~~

- ~~a. — To regulate art and art symbols; or~~
- ~~b. — Holiday decorations and symbols.~~

~~(9) Curtail the size and number of signs to the minimum reasonably necessary to identify a residential or business location, and the nature of such use, and to allow smooth navigation to these locations; Recognizing the need for certain types of signs which facilitate the safe and orderly movement of traffic, this chapter provides for the regulation of incidental address identification and subdivision identification signs.~~

~~(10) Recognizing the historical contribution of certain structures and places to the cultural fabric of the city and the need and desire to identify same, make certain provisions are made in this chapter to allow for the identification of those structures and places.~~

~~(11) Establish dimensional limits and placement criteria for signs that are legible and proportional to the size of the lot and building on which the sign is to be placed, or to which it pertains; While this chapter prohibits certain signs from placement within the city and exempts certain signs from certain regulations of this chapter, such exemptions are not intended to otherwise allow a sign that is prohibited.~~

~~(12) Further, the city has an obligation and a right to p—Protect the rights of adjoining landowners to adequate light and air, to promote desirable living conditions and the sustained stability of neighborhoods, to protect property against blight and deprivation, and encourage the most appropriate use of land, buildings and other structures throughout the city;~~

~~(13) Regulate signs so that they are effective in performing the function of identifying and safely directing pedestrian and vehicular traffic to a destination; Accordingly, in consideration of the city's rights and obligations to promote traffic safety, to preserve property values, to provide for the convenience and enjoyment of public travel, to eliminate annoyance to~~

~~travelers, to attract tourists, residents and industry, to serve the public health, safety and morals, to advance the general prosperity of the community, and to serve the general welfare, the city hereby imposes the regulations contained in this chapter.~~

(14) Preclude signs from conflicting with the principal permitted use of the lot and adjoining lots;

(15) Regulate signs in a manner so as to not interfere with, obstruct the vision of, or distract motorists, bicyclists or pedestrians;

(16) Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;

(17) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all zoning districts of the City;

(18) Allow for traffic control devices and government signs without regulation consistent with national standards because they promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and by notifying road users of regulations and providing nationally consistent warnings and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream and modes of travel, while regulating private signs to ensure that their size, location and other attributes do not impair the effectiveness of such traffic control devices;

(19) Protect property values by precluding, to the maximum extent possible, signs that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;

(20) Protect property values by ensuring that the size, number and appearance of signs are in harmony with buildings, neighborhoods, structures, and conforming signs in the area;

(21) Classify and categorize signs by type;

(22) Maintain the City's image as one of excellence;

(23) Not regulate signs more than necessary to accomplish the compelling and substantial governmental objectives described herein;

(24) Enable the fair and consistent enforcement of these sign regulations;

(25) Regulate signs in a permissive manner so that any sign is not allowed unless expressly permitted and not expressly prohibited;

(26) Be considered the maximum standards allowed for signage; and

(27) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the City and that complements the natural surroundings in recognition of this City's reliance on its natural surroundings and beautification efforts as a source of economic advantage as an attractive place to live and work;

Sec. 80-3. - Definitions.

For the purposes of this article the following words and phrases are hereby defined as provided in this section, unless the context clearly indicates otherwise. Where there is a question as to the correct classification or definition of a sign, it is the intent of this subsection to place said sign in the strictest category and/or classification.

~~*Abandoned off-premises sign* means any off-premises sign that has been discontinued for a period of 60 180 days or more, as determined by the building official said sign shall be deemed abandoned. The following conditions shall be considered as the failure to operate or maintain a sign: (i 4) a sign displaying advertising for a product or service which is no longer available or displaying for a business which is no longer licensed; or (ii) a sign which is blank. The director of public works shall notify the owner of the property on which the sign is located as well as the owner of the sign, if not the same, with 15 days written notice to (1) submit documentation to the department of public works to establish that the sign has not been abandoned as provided in this section or (2) remove the sign as well as any support structure; in the event the owner of an off-premises sign fails to remove the sign and any support structure as requested, a penalty in the amount of \$250.00 per day shall be imposed upon the record owner of the sign until the date of removal as well as any costs of removal incurred by the city.~~

Advertise or advertising means any form of public announcement intended to aid directly or indirectly in the sale, use or promotion of a commercial product, commodity, service, activity or entertainment.

~~Attraction board means a sign or portion of a sign on which copy is changed periodically, advertising special sales, bargains, etc. Said attraction board may be incorporated into the sign permitted.~~

Automatic changing signs ("ACS" or "digital signs") means any characteristics of a sign that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, flashing, blinking or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays. Also referred to as an electronic changeable copy sign. Nothing herein shall prohibit such signs from also depicting community-oriented and civic activities, such as amber alerts, City Hall meetings and the like.

Awning, canopy, roller curtain or umbrella sign means any sign painted, stamped, perforated, or stitched on the surface area of an awning, canopy, roller curtain or umbrella.

Banner means a sign that cannot be considered a flag, having characters, letters or illustrations, if any, applied to cloth, paper, plastic, or fabric of any kind, with only such material for backing.

~~*Cantilever* means that portion of a building, projecting horizontally, whether it be on the same plane as the roof line or not.~~

~~*Cantilever sign* means any sign which is mounted on a cantilever. No cantilever sign may extend beyond the cantilever.~~

Changeable copy sign means a sign or portion thereof which has a readerboard for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects, not consisting of an illumination device and may be changed or re-arranged manually or mechanically with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

~~*Construction or development sign* means signage identifying the nature of the property's current development or construction.~~

Costume characters or mascots means individuals or persons dressed in costume to draw attention to a sales promotion or event whether with or without a sign board.

Decoration means something that is added to something else to make it more attractive that does not include lettering or text and is not displayed for commercial advertising.

Detached sign means any sign not attached to or painted on a building, but which is affixed and permanently attached to the ground. The term "permanently attached," as used herein, means that the supporting structure of the sign is attached to the ground by a concrete foundation.

Development identification sign means a sign used to identify the name of a residential subdivision with more than five (5) units or a multifamily building with more than five (5) units and the street address. Development identification signs are not used to advertise services and goods provided.

~~*Digital changeable message sign* means a sign composed of a digital, holographic, plasma, projection, LED or other format display screen which allows static messages to rotate in succession which advertise the businesses operating, goods sold, services provided or activities occurring on the premises. Nothing herein shall prohibit such sign from also depicting community-oriented and civic activities, such as amber alerts, city hall meetings and the like.~~

Director means the director of planning and zoning department or his qualified agent.

Directional sign means a sign which guides or directs the public and contains no advertising. The name of the facility, such as store name, which the sign is giving direction to, may be included when specified conditions are complied with.

Directory sign means a sign identifying the names and/or uses, or locations of more than one business, activity or office conducted within a building or group of buildings, or commercial center or office park.

Entrance features means any combination of decorative structures and landscape elements located at the entrance to a development, which identifies or draws attention to the development and/or exercises control of ingress and egress to the development. An entrance feature may include, although not necessarily be limited to, ornamental walls, fences, identifying lettering, logos, works of art, and other decorative structures, earthworks, water bodies, fountains, trees, plantings, and other landscape elements, as well as gatehouses, either ~~similarly~~ singularly or in any combination thereof.

Flag means any fabric or bunting containing distinctive colors, patterns, or symbols, used as the symbol of a government, political subdivision, organization, bona fide civic, charitable, fraternal and welfare organizations or other entity.

Flashing sign means a directly or indirectly illuminated sign or portion thereof that exhibits changing light or color effect by any means, so as to provide intermittent illumination that changes light intensity in sudden transitory bursts and creates the illusion of intermittent flashing light by means of animation, streaming, graphic bursts showing movement, or any mode of lighting which resembles zooming, twinkling or sparkling.

Flat sign means any sign attached to and erected parallel to the face of, or erected or painted on the outside wall of any building, and supported throughout its length by such wall or building.

Government sign means any temporary or permanent sign erected by or on the order of a public official or quasi-public entity at the state, federal or local government level in the performance of any duty including, but not limited to, noncommercial signs identifying a government building or service, traffic control signs, street name signs, street address signs, warning signs, informational signs, safety signs, traffic or other directional signs, public notices of events, public notices of government actions, proposed changes of land use, any proposed rezoning, or any other government speech.

Height of sign means the distance between the top of a sign and the centerline grade of the adjacent roadway, or to the centerline grade of the Florida Turnpike and the Dolphin and Palmetto Expressways if the sign is visible and within 100 feet from the those highways. The height of a sign shall be measured ~~to~~ from surface roads only. The height difference between the centerline for bridges, overpasses

or similar elevated roads shall permit a maximum of half of the vertical distance between the top of a sign and the centerline grade.

Marquee means a covered structure projecting from, and supported by the building with independent roof and drainage provisions, and which is erected over a doorway or entranceway as protection against the weather.

Marquee sign means any sign attached to or hung from a marquee.

Monument sign means monument signs have a solid base that the sign face is installed upon. Eighty percent of the solid base shall be on the ground with gap no more than 12 inches from the base to the ground. These signs should be designed so that the style of the sign and its base are consistent with the architecture of the buildings on the site. Signs supported by poles that are built and/or designed to look like solid base as in monument signs are considered to be in compliance with this definition.

Multi-vision or multi-message sign (tri-vision sign) means any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

Off-premises sign ("billboard sign") means a sign other than an on-premises sign.

On-premises sign means a sign which advertises only goods, services, facilities, events, or attractions on the premises where located.

Pole sign means a freestanding sign attached to a pole or poles erected directly into the ground.

Portable sign means any sign not attached to or painted on a building and not affixed or permanently attached to the ground, such as sandwich and sidewalk signs.

Projecting sign means any sign which is an independent structure, which is attached to the building wall, and which extends at any angle from the face of the wall. No projecting sign shall extend above the roof or parapet wall in any residential district.

Regional mall means a retail mall containing a minimum of three major tenants, minimum 100,000 square feet, located on not less than 70 acres and consisting of not less than a total of 1,000,000 square feet of building area.

Regional mall identification sign means a monument sign located within the property of a regional mall which identifies the mall and may identify mall tenants or products sold within the regional mall.

Residential clubhouse: A building used for social or recreational activities primarily by occupants of a residential community(ies). The clubhouse must serve a minimum of 798 residential units. This definition shall not include resorts and/or uses associated with hotels.

Residential clubhouse sign means a noncommercial sign used to identify a residential clubhouse.

Reverse channel letter sign means opaque individual letter, numbers or logos that are mounted directly on the wall with lighting within the letter, number or logo so that they reflect off of the wall, i.e., reverse lighting.

Roof sign means any sign which is painted on, fastened to, or supported by the roof or erected over the roof.

~~*Sandwich or sidewalk sign* means a moveable sign not secured or attached to the ground.~~

Semaphore sign means any sign consisting of one or two-faced canvas, vinyl or vinyl-like material signs extending horizontally from a light standard.

Sign means any display of characters, letters, logos, illustrations or any ornamentation designed or used as an advertisement, announcement, or to indicate direction. Use of merchandise, products, vehicles, equipment, inflated balloons, or the like as an attention attractor or advertising device, with or without a printed or written message or advertisement, shall be considered a sign. This term shall not be interpreted to include traffic control device signs or warning signs.

Temporary signs means any sign intended for use not permanent in nature. For the purposes of this chapter, any sign with an intended use of three (3) months or less shall be deemed a temporary sign. Temporary signs shall apply to: ~~means any sign to be erected on a temporary basis, such as signs:~~

- (1) Advertising the sale or rental of the premises on which located;
- (2) Advertising a subdivision of property;

- (3) Advertising construction actually being done on the premises on which the sign is located;
- (4) Advertising future construction to be done on the premises on which located, and
- (5) For special events. ~~such as:~~
 - a. ~~Carnivals;~~
 - b. ~~Concerts;~~
 - c. ~~Public meetings;~~
 - d. ~~Sporting events;~~
 - e. ~~Political campaigns; or~~
 - f. ~~Events of a similar nature.~~

Traffic control device sign or Traffic control device means a sign located within the right-of-way and that is used as a traffic control device and described and identified in the Manual on Uniform Traffic Control Devices approved by the Federal Highway Administration as the National Standard and as may be revised from time to time. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not be readily apparent), and guide signs (that show route designations, directions, directions, distances, services, points of interest, and other geographical, recreational, or cultural information). These devices are not regulated as signs under this article.

Vehicle signs means signs painted or affixed in any manner to any vehicle, trailer or pickup truck, van or similar transportable device and which is used to advertise a place of business or activity as viewed from a public road. ~~shall be prohibited.~~ This shall not be interpreted to include the identification of commercial vehicles provided such vehicles are operational and moved and used daily for delivery or service purposes and are not used, or intended for use, as portable signs. This definition shall also not be interpreted to apply to buses, taxicabs, and similar common carrier vehicles which are licensed or certified by the city or other governmental agency.

Video display sign means a sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, that are projected images or messages with these characteristics onto

buildings or other objects, also could be referred to as an electronic graphic display sign, but does not include an automatic changing sign.

Wall means, for sign purposes, that portion of the building's exterior, horizontal surface on the same plane, regardless of vertical or horizontal indentations, and including the surface of parapets and pylons projecting from the building. For sign purposes, there shall be considered to be only four planes to any building and it shall be the prerogative of the director of planning and zoning to determine which portion of odd-shaped buildings, such as buildings of hexagon or octagon design, to which flat signs may be affixed, with such location to be so determined as to prevent a grouping of signs which can be viewed from one direction.

Wall sign means any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one advertising surface.

Wallscape sign means any mosaic, painting or graphic art technique applied, placed directly onto or attached to and erected parallel to the face of, or painted on the outside wall of a building for purposes of advertising the businesses operating, goods sold, or activities occurring therein. All such graphics shall either be framed or attached to a frame mounted to the wall.

Warning sign means a sign that provides warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that provides warning of a violation of law (e.g., no trespassing, no parking) provided that such signs do not exceed an area of three square feet.

Window sign means any sign located within a window or upon the inside surface or outside surface of the window glass. Projects under construction shall be required to have a uniform window cover.

- (b) Where there is a question as to the correct classification or definition of a sign, it is the intent of this chapter to place said sign in the strictest category and classification.

Sec. 80-4. - Interpretation.

Only those signs that are specially authorized by this sign code shall be permitted. Those that are not listed or authorized shall be deemed prohibited.

Sec. 80-5. - Nonconforming signs.

All future changes to any of the following existing nonconforming signs will require conformity to this section:

- (1) *All signs that are damaged and need repair which is in excess of 50 percent of the value of the sign due to natural calamities.*
- (2) *All signs that are being repaired or upgraded substantially at the cost of with more than 50 percent of the value of the sign.*

Sec. 80-6. - Compliance with codes.

Technical codes. All signs shall conform to the requirements of the building, electrical, and other applicable technical codes, except as may be otherwise provided herein.

~~Advertising -~~ Conflicting with zoning rules. No sign shall be erected or used to advertise any use or matter which would conflict with the regulations for the district in which it is located or be in conflict with the use permitted under the certificate of use or occupancy for the property.

Sec. 80-7. - Qualification and certification of erector.

Where the erection of any sign requires compliance with any of the city's technical codes, the erector of the sign shall qualify with the respective examining board.

Secs. - 80-8—80-25. Reserved.

ARTICLE II. - ADMINISTRATION

DIVISION 1. - GENERALLY

Secs. 80-26—80-32. - Reserved.

DIVISION 2. - PERMIT

Sec. 80-33. - Required.

No sign, unless excepted by this article, shall be erected, constructed, posted, painted, altered, maintained, or relocated, except as provided in this article and until a building permit has been issued. Before any permit is issued, an application

for such permit shall be filed together with three sets of drawings and/or specifications, one to be returned to the applicant, as may be necessary to fully advise and acquaint the issuing department with the location, method of construction, type of materials, manner of illumination, method of erection, securing or fastening, number and type of signs applied for, and advertisement to be carried. All signs which are electrically illuminated by neon or any other means shall require a separate electric permit and inspection.

Sec. 80-33.1 Application Procedure.

Before any permit is issued, a written application, in the form provided by the City, shall be filed, together with such drawings and specifications as may be necessary to fully advise the City with the location, construction, materials, manner of illuminating, method of securing or fastening, the number of signs applied for, the consent of the property owner, and the wording of the sign. Upon the submission of an application, the City shall have ten (10) days to determine whether it is complete. If the City finds that the application is not complete, the City shall provide the applicant with written notice of the deficiencies within the ten (10)-day period. Upon resubmission of the application, the City shall have five (5) additional days to determine whether the applicant's revisions are sufficient to complete the application. If they are not, the City will again inform the applicant of any remaining deficiencies in writing within a ten (10)-day period. This process shall continue until the applicant has submitted a complete application, or demands that the application be reviewed "as is."

The City shall approve or deny the sign permit based on whether it complies with the requirements of this Chapter. The City shall approve or deny the sign permit within thirty (30) days after receipt of a complete application. If denied, the City shall prepare a written notice of its decision, describing the applicant's appeal rights, and send it by certified mail, return receipt requested, to the applicant. The applicant may file a written notice of appeal to the City Council within thirty (30) days after the date of receipt of the City's written notice. The City Council shall hold a public hearing at the next available Council meeting that is at least twenty-five (25) days after the date of receiving written notice of appeal, at which the City Council shall determine whether the application satisfies all Code requirements. If the City Council does not approve the application, then the applicant may seek relief in the Circuit Court for Miami-Dade County, as provided by law.

Sec. 80-34. - Consent of property owner.

No sign shall be placed on any property unless the applicant has the written consent of the owner and lessee, if any, of the property.

Sec. 80-35. - Calculating sign area.

The area of a sign face shall be calculated by the number of square feet of the smallest rectangles within which a sign face can be enclosed. The sign face shall include entire area of sign, including letters, numbers, characters, logos, emblems, information, or other display including materials or colors, utilized to differentiate the sign from the backdrop or structure on which it is placed, including all materials to form the cabinet or other structural members of the sign. Sign area shall not include any supporting framework, bracing, or decorative fences or wall when such wall is consistent with the requirements of this Land Development Code. The director of planning and zoning shall have the discretion of determining the area of any sign and may be guided by calculations as made by a licensed, registered engineer when same are shown on the drawing.

Sec. 80-36. - Sign area of multi-faced signs.

Sign area for multi-faced signs shall be calculated as follows:

- (1) *The area of double faced sign with sign faces that are parallel or the interior angle of the two faces is 15 degrees or less shall be calculated using the area of only one sign face.*
- (2) *The area of a double faced sign with sign faces having an interior angle of more than 15 degrees, the area of both sign faces shall be added together to determine total area of a sign.*
- (3) *The sign area of multi-faced signs is calculated based on the principle that all sign elements that can be seen at one time or from one vantage point should be considered in measuring that particular sign face.*

Sec. 80-37. - Fees.

No sign, where a permit is necessary, shall be exhibited unless the required permit fees are paid.

Sec. 80-38. - Time limitation of permits.

All signs shall be erected on or before the expiration of 90 days from the date of issuance of the permit. If the sign is not erected within said 90 days, the permit shall become null and void, and a new permit required; provided, however, that the director may extend such permit for a period of 90 days from the date of the expiration of the permit if written application for such extension is received and approved by the director of planning and zoning prior to the expiration date of the initial permit and provided that the proposed sign complies with all requirements in effect at the date of such renewal.

Sec. 80-39. - Identification of permit holder on sign.

Each sign requiring a permit shall carry the permit number and the name of the person or firm placing the sign on the premises, such marking shall be permanently attached and clearly visible from the ground.

Sec. 80-40. - Responsibility for sign.

The owner and/or tenant of the premises, and the owner or erector of the sign shall be held responsible for any violation of this chapter; provided, however, that when the sign has been erected in accordance with this chapter, the sign company shall be relieved of further responsibility as to the city after final approval of the sign.

Sec. 80-41. - Inspection.

No sign shall be approved for use, unless the same shall have been inspected by the planning and zoning department issuing the permit, and no sign shall be erected or used unless it complies with all the requirements of this chapter and applicable technical codes. The holder of a permit for a sign shall request inspections of a sign as follows:

- (1) *Foundation inspection. The foundation inspection shall include method of fastening to building or other approved structure.*
- (2) *Shop inspection. The shop inspection shall include electrical and/or structural where indicated on the permit and/or approved plan.*

- (3) *Final inspection. The final inspection shall include structural framing, electrical work identification of permit number and erector of sign, etc.*
- (4) *Additional inspections. Any additional inspections which may be specified on the permit and/or approved plans.*

Sec. 80-42. - Signs permitted without a sign permit.

The following signs may be erected or constructed without a sign permit when in accordance with the Florida Building Code and this Article and any other applicable law or regulation.

- (a) Temporary signs not exceeding six square feet in area and not electrically illuminated will not require a sign permit, but must otherwise comply with this chapter and applicable technical codes.
- (b) ~~Traffic signs, provisional warnings and signs indicating danger, are exempt from this chapter. Such exempted signs shall not contain any commercial advertisement. All signs or sign structures erected or required to be erected by a governmental agency that are subject to spacing requirements are exempt from this article.~~
- (c) Awning, canopy, roller curtain, umbrella signs shall be limited to eight-inch letters in height, and shall not exceed a total coverage of 24 square feet. ~~Any such sign shall be limited to the identification of the occupant and use of the property. No sign permit shall be required for the awning, canopy, roller curtain or umbrella sign, but the same shall comply with applicable technical codes.~~
- (d) ~~Disabled or handicapped parking signs. Signs required by state law or county ordinance for parking spaces reserved for disabled or handicapped persons shall not require a sign permit.~~
- (e) Signs not exceeding 1½ square feet in area and identifying the premises bearing only property street numbers, post box numbers, or name of occupant of premises.
- (f) Flags and insignia of any government, except when displayed in connection with commercial promotion.
- (g) ~~Legal notices, identification, information, or directional signs erected by or on behalf of governmental bodies.~~

- (h) Integral decorative and architectural features of buildings except letters, logos, trademarks, moving parts or moving lights.
 - (i) Signs within enclosed buildings or structures which are so located that they are not visible from public or private streets or adjacent properties such as signs in interior areas of malls, commercial buildings, ball parks, stadiums and similar structures or uses, providing said signs are erected in such a manner as not to be hazardous. If illuminated, the necessary electrical permits shall be obtained.
 - (j) ~~Temporary holiday decorations provided said decorations carry no advertising matter, and further provided that such decoration is not up more than 60 days for a single holiday and is removed within 21 days after the holiday ends.~~
 - (k) ~~Warning signs such as "danger," "no parking," "post no bills," "bad dog" and similar warning signs, provided such signs do not exceed an area of one and 1.5 three (3) square feet.~~
 - (l) ~~Banners and other decorative materials in conjunction with an event conducted pursuant to a dedication or a grand opening, are permitted without a sign permit. Such banners and decorative materials are not to be posted more than 30 days preceding the event, and are to be removed within seven days following the grand opening day of the event.~~
 - (m) The city manager, or designee, shall be permitted to post banners promoting city-sponsored park activities, special events and sponsorships relating to same, provided:
 - (1) *Such banners are posted in the city where the activity or special event will occur;*
 - (2) *That each banner shall be limited in size to no more than 30 square feet;*
 - (3) *That the banner shall not be posted more than 630 days preceding the activity or event and shall be removed within seven days following the activity or event.*
 - (4) *Recognition of businesses as sponsors is allowed provided that the area of the banner devoted to such recognition is incidental to the area devoted to the primary non-commercial message of the banner.*
- Banners complying with the conditions specified in this subsection shall be permitted without a sign permit.
- (n) ~~Signs required by law.~~

- (o) ~~Baby stroller parking signs. Signs required for parking spaces reserved for persons transporting young children and strollers shall not require a sign permit.~~
- (p) ~~"No trespassing" signs; provided such signs do not exceed an area of three square feet and are consistent with state law.~~
- (q) Semaphore signs no greater than four feet in width and seven feet in length. Maximum two signs per light pole.

Secs. 80-43—80-72. - Reserved.

ARTICLE III. - ENFORCEMENT

Sec. 80-73. - Enforcement by code compliance officers; notice of violation.

(a) Generally. If a code compliance officer finds a violation of this chapter, such code compliance officer shall issue a notice of violation to the violator of the nature of the violation, amount of fine for which the violator is liable, instructions and due date for paying the fine, notice that the violation may be appealed by requesting an administrative hearing within 20 days after service of the notice of violation, and that failure to do so shall constitute an admission of the violations and waiver of the right to a hearing.

(b) Abandoned signs. The Director of Code Compliance shall notify the owner of the property on which the sign is located as well as the owner of the sign, if not the same, with fifteen (15) days written notice to (1) submit documentation to the department of code compliance to establish that the sign has not been abandoned as provided in this section or (2) remove the sign as well as any support structure; in the event the owner of an off-premises sign fails to remove the sign and any support structure as requested, a penalty in the amount of \$250.00 per day shall be imposed upon the record owner of the sign until the date of removal as well as any costs of removal incurred by the city.

Sec. 80-74. - Penalty; enforcement.

Any sign which is not in compliance with the provisions of this chapter shall constitute a violation. Any such sign which has been erected, or is being maintained in violation of the provisions of this chapter, shall be removed by the sign owner, or by the property owner, lessee, their agents or persons having the beneficial use of the property on which the commercial sign is displayed, upon notice of said violation by the code compliance department. The city manager or

his designee shall cause the removal of any commercial advertising sign which is in violation of this chapter, in accordance with the procedures set forth in chapter ~~11 56~~, code compliance. Notwithstanding the requirements of this section, the city manager or his designee may cause the sign to be made safe as an alternative to removal. Violation of any provision of this Land Development Code will result in enforcement action being taken by the code compliance department in accordance with the code compliance procedures and ordinance adopted by the mayor and city council.

Sec. 80-75. - Civil fines for violators.

The following civil fines shall be imposed for each violation of this article:

- (1) *First (1) offense: \$50.00.*
- (2) *Second offense within one (1) year of the first offense: \$150.00.*
- (3) *Third (3) offense and additional offenses within one year of the first offense: \$500.00.*
- (4) *First (1) offense for illegal signs in the public right-of-way affixed with an adhesive, glue, staples, tacks or nails that require extra ordinary effort, labor and materials to remove: \$150.00.*
- (5) *Second (2) offense within one (1) year of the first of the first (1) offense for illegal signs in the public right-of-way affixed with an adhesive, glue, staples, tacks or nails that require extra ordinary effort, labor and materials to remove: \$300.00.*
- (6) *Third (3) offense/additional offenses within one (1) year of the first (1) offense for illegal signs in the public right-of-way affixed with an adhesive, glue, staples, tacks or nails that require extra ordinary effort, labor and materials to remove: \$500.00.*

Sec. 80-76. - Rights of violators; payment of fine; right to appeal; failure to pay civil fine or to appeal.

- (a) A violator who has been served with a notice of violation shall elect either to pay the civil fine in the manner indicated on the notice or request an administrative hearing before a special magistrate appointed by the city manager to appeal the decision of the code compliance officer which resulted in the issuance of the notice of violation.
- (b) The procedures for appeal by administrative hearing of the notice of violation shall be as set forth in procedures established by the chapter ~~11 56~~, code compliance.

- (c) If the named violator after notice fails to pay the civil fine or fails to timely request an administrative hearing before a special magistrate, the special magistrate shall be informed of such failure by report from the code compliance officer. Failure of the named violator to appeal the decision of the code compliance officer within the prescribed time period shall constitute a waiver of the violator's right to administrative hearing before the special magistrate. A waiver of the right to an administrative hearing shall be treated as an admission of the violation and penalties may be assessed accordingly.
- (d) Any party aggrieved by the decision of the special magistrate may appeal that decision to a court of competent jurisdiction.

Sec. 80-77. - Recovery of unpaid fines; unpaid fines to constitute a lien; foreclosure.

- (a) The city may institute proceedings in a court of competent jurisdiction to compel payment of civil fines.
- (b) A certified copy of an order imposing a civil fine may be recorded in the public records and thereafter shall constitute a lien upon any other real or personal property owned by the violator and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two (2) months from the filing of any such lien which remains unpaid, the city may foreclose or otherwise execute upon the lien.

Sec. 80-78. - Injunctive relief.

As an additional means of enforcement, the city may seek injunctive relief and/or follow procedures to revoke a business tax receipt or certificate of use when there are repeated violations of this Land Development Code.

Sec. 80-79. - Removal of signs.

The city may cause the removal at the violator's expense of signs posted in violation of this section pursuant to the provisions of this chapter.

Secs. 80-80—80-101. - Reserved.

ARTICLE IV. - REGULATIONS

DIVISION 1. - GENERALLY

Sec. 80-102. - Prohibited signs.

The following signs are prohibited:

- (1) ~~No s Sign shall be~~ so located as to constitute a danger to public safety.
- (2) ~~No s Sign shall~~ exhibiting thereon any lewd or lascivious matter.
- (3) ~~No s Signs shall be~~ attached to trees, utility poles or any other unapproved supporting structure.
- (4) Roof signs are prohibited in all the districts.
- (5) ~~No s Signs shall be~~ erected or painted on fence and wall enclosures in residential districts. Fence and wall signs shall be prohibited in the residential districts.
- (6) Even if not classified as a sign, blinking or flashing lights, streamer lights, pennants, ~~banners~~, streamers, and all fluttering, spinning or other type of attention attractors or advertising devices are prohibited ~~except for national flags, flags of bona fide civic, charitable, fraternal and welfare organizations and further except during recognized holiday periods such attention attractors that pertain to such holiday periods may be displayed on a temporary basis during such periods.~~ The flags permitted by this subsection shall not be used in mass in order to circumvent this subsection by using said flags primarily as an advertising device. For purposes of this subsection, mass is defined as the distance between permitted flags. flags shall be located at a minimum average spacing of 20 feet interval of each other.
- (7) No Temporary revolving or rotating signs shall be permitted or erected except as a permanent sign in commercial and industrial zoning districts. Such signs shall be illuminated by internal lighting only.
- (8) Any signs which are not traffic signs as defined in section 33-94(b) of the Miami-Dade County Code which use the term "stop" or "danger" or present or imply the need or requirement of stopping, or which are copies or imitations of official signs. Red, green or amber or any color combination thereof revolving or flashing light giving the impression of a police or caution light is a prohibited sign, whether on a sign or on an independent structure.
- (9) ~~Portable signs unless otherwise authorized by law~~ shall be prohibited, including those that are tied down with metal straps,

- chaining, or otherwise temporarily anchored to an existing structure or other similar method of anchoring. .*
- (10) *Signs attached or placed on vehicles, trailers or pick-up trucks, vans or similar transportation devices.*
 - (11) *A sign that significantly covers, interrupts or disrupts the major architectural features of a building.*
 - (12) *Abandoned signs.*
 - (13) *All signs located on or over public property or right-of-way, except those installed by governmental agencies.*
 - (14) *Any signs that in the opinion of the city manager or his designee constitute a safety hazard.*
 - (15) *Attention-getting devices.*
 - (16) *Pole signs.*
 - (17) *Off-premises signs except as provided for in article III of this chapter.*
 - (18) *All inflatable signs such as balloons.*
 - (19) *Sandwich or sidewalk signs except as specifically approved.*
 - (20) *Handheld commercial advertising signs with the exception of nonprofit fund raisers, temporary and election signs.*
 - (21) *Costumed characters or mascots.*
 - (22) *Any sign or logo that is not specifically allowed under the provisions of this chapter.*
 - (23) *Banners are prohibited except as otherwise permitted in this chapter.*

Sec. 80-103. - Illumination.

Except as provided in section 80-102, signs illuminated by flashing, moving, intermittent, chasing or rotating lights are prohibited. Signs may be illuminated by exposed bulbs, fluorescent tubes, interior lighting, or by indirect lighting from any external source. Indirect lighting, such as floodlights, shall not shine directly on adjacent property, motorists or pedestrians. Illumination shall be such that it will provide reasonable illumination, no spillage, and eliminate glare and intensity which might pose safety hazards to drivers and pedestrians. Revolving and rotating signs shall be illuminated by internal lighting only.

Sec. 80-104. - Maintenance of signs.

- (a) Required; discontinued use time limit for removal. All signs shall be properly maintained in a safe and legible condition at all times. In the event that a use having a sign is discontinued for a period of 60 45-days, all signs identifying the use are to be removed from the site or in the case of a painted sign, painted out. Sign removal shall be the responsibility of the owner of the property.

- (b) Latticework, painting, etc. Where the rear of any sign is visible from a street, park or residence, or from a residential or business zoning district, the exposed structural members of such sign shall be either concealed by painted latticework, slats or be suitably painted or decorated, and such back screening shall be designed, painted and maintained to the satisfaction of the director of planning and zoning department.
- (c) Removal of dilapidated signs. The director of planning and zoning department or his or her designee may cause to be removed any sign which shows neglect or becomes dilapidated or where the area around such sign is not maintained as provided herein after due notice has been given. The owner of the sign and the property shall be financially responsible for the removal of the sign.

Secs. 80-105—80-121. - Reserved.

DIVISION 2. - BANNERS AND OTHER SIGNS ON PROJECTING OVER PUBLIC PROPERTY

Sec. 80-122. - Prohibited signs.

~~Except as provided in this chapter or by city ordinance, by statutes or by county ordinance, no sign of any character shall be suspended across any public street, alley or waterway; nor shall any sign of any description be posted or painted on or applied to any curb, sidewalk, tree, light standard, utility pole, hydrant, bridge, wall, or any structure, other than an awning, which is within the property lines of any street, alley or waterway within the city. The following signs shall be exempt from this requirement:~~

- (1) *Official traffic signs, information signs and warning signs erected by a governmental agency and temporary signs indicating danger.*
- (2) *Temporary special public event directional signs approved pursuant to this chapter.*
- (3) *Light pole banners as provided for in this section.*

Sec. 80-123. - Maximum width over sidewalk or alley.

No portion of any sign which extends over a public sidewalk or alley shall be less than nine (9) feet above such sidewalk or 15 feet above such alley, measured vertically directly beneath the sign to grade.

Sec. 80-124. - No extension or projection over street; exceptions.

No sign shall extend or project over any portion of any street, alley, waterway or any other public way or any public property except for marquee and projecting signs which shall only be permitted to extend over the right-of-way.

Sec. 80-125. - Light pole banners.

- (a) Banners affixed to light poles or other similar structures on the public right-of-way shall be subject to the regulations in this division.
- (b) The right to install banners on light poles as well as the number, location and method of installation of banners shall be subject to review and approval by the city manager, or his designee for special events taking place in the city, and by the city council for special events held outside of the city.
- (c) In considering whether to approve light pole banners for events held outside of the city, the city council may, among other factors, consider whether the city or other governmental entity hosting that special event would reciprocate such action within its own jurisdiction for special events taking place in the city.
- (d) Banners shall not exceed three feet in width by eight feet in length. Banners may be double-sided. The color, design and material of all banners shall be approved under the design review process.
- (e) Banners directing the public's attention to a public institution or special district may be erected for an indefinite period, subject to being maintained in good condition and periodic review for appropriateness under the design review process.
- (f) Any text shall be limited to a maximum of 25 percent of the total area of the banner, unless the text constitutes the overall image of the banner. Text for special event banners shall be limited to the name of the event, the name of the sponsor and the date of the event.
- (g) All banners announcing special events may be erected up to for 30 days prior to the event being announced and must be removed within seven days

after such event. Special event banners for events to be held outside the city shall require prior approval by the city council.

- (h) Any single corporate symbol or logo associated with the sponsorship of any special event shall be limited to five percent or one square foot of the total area of the banner, whichever is smaller; two or more symbols or logos associated with sponsorship shall be limited to ten percent, or two square feet of the total area of the banner, whichever is smaller.
- (i) A performance bond shall be required to ensure the removal of the banners in case of advanced deterioration of the banners, or if a dangerous condition presents itself, the city may at its sole discretion direct banners to be removed at any time.
- (j) The city shall require the sponsoring organization to provide a certificate of insurance that covers the sponsor 's property as well as the property of the city. This certificate of insurance shall be approved by the department of public works.

Sec. 80-126. - Right to remove signs placed without permits.

When a sign is found to be located on public property and without a permit, the city shall have the right to remove such sign. The owner may recover the sign by paying the removal costs within 60 days of the removal. If the sign is not recovered by the owner within 60 days, it shall be considered abandoned property in the hands of the city and shall be disposed of as permitted by law. The city shall recover all costs in conjunction with such removal of signs from the owner or the owner's property. Such recovery may be by way of personal action against the owner or an in rem lien against any property of the owner located within the city.

~~Sec. 80-127. - Signs on vehicles parked on public property prohibited.~~

~~Signs attached to or placed on a vehicle, including trailers, that is parked on public or private property shall be prohibited.~~

Secs. 80-1278—80-152. - Reserved.

DIVISION 3. - UTILITY COMPANY PROPERTY OR PUBLIC PROPERTY

Sec. 80-153. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Extraordinary effort, labor or material means where a city employee cannot remove the signs by simply standing on the public right-of-way and pulling on the sign for its removal. The term "extraordinary effort, labor or material" means and includes having to scrape, pry, with a device, and or reach with a ladder or lifting device, and or require more than one individual for removal, and or require patching or painting, or in the case of attachment to landscaping require special treatment to the trees or plant material to which it was attached.

Median means that area of the street between vehicular traffic lanes and improved by concrete and/or landscaping.

Offense means either an uncontested notice of violation issued by a code compliance officer or a finding of violation by a special magistrate.

Public means owned, operated or controlled by a governmental entity.

Sidewalk means the area located between a curb line or lateral line of a street and the adjacent property line and which is intended for use by pedestrians.

~~*Sign* means any handbill, poster, advertisement, or other written or printed message or other communication.~~

Swale area means that area between the property line and the back of the street curb on the edge of the paved roadway.

Sec. 80-154. - Posting of sign prohibited.

It shall be unlawful for any person to place, post or affix, own, or be the benefactor of the placing, posting, or affixing of, any sign upon a public sidewalk, building, fence, wall, boardwalk, pole, apparatus or equipment belonging to an electric utility company or other object or structure located upon a public sidewalk, swale, area or median within the city. In addition to any other remedy available by law or ordinance, enforcement against the owner or benefactor and/or person who placed, posted or affixed the sign shall be as outlined in this section. A lessor or sublessor of premises which are the subject of an illegal sign without the

knowledge or approval or benefit of such lessor or sublessor shall not be liable for violations under this section.

Sec. 80-155. - Sign affixed or held with a securing device.

In the event that an illegal sign in the right-of-way is affixed with adhesive, glue, staples, tacks, or nails that require extra ordinary effort, labor and or material to remove, then said sign shall be subject to enforcement as outlined in this section.

Sec. 80-156. - Authorizing others to post signs prohibited.

It shall be unlawful for any person to knowingly authorize or employ any person to cause the placing, posting or affixing of any sign not exempt pursuant this section upon a public sidewalk, building, fence, wall, boardwalk, pole or other object or structure located upon a public sidewalk, swale area or median within the city.

Sec. 80-157. - Exemptions.

The following shall be exempt from this division:

- (1) *Official traffic signs, information signs and warning signs erected by a governmental agency and temporary signs indicating danger.*
- (2) *Temporary special public event directional signs approved pursuant to this chapter.*

Sec. 80-158. – City Sponsored Approved Events ~~Special public event directional signs.~~

- (a) Special public event directional signs are signs directing the public to a city approved or sponsored activity open to the public on city property. Signs may be any type as determined to be structurally safe by the building official.
- (b) The maximum number shall not exceed five (5) citywide directional signs; however, there shall be no more than one (1) sign per street frontage on any block.
- (c) The maximum size shall be determined by the planning and zoning director.
- (d) Signs may be erected up to two (2) weeks prior to such event for public announcement purposes and be maintained for the duration of the event.

Signs shall be removed within two (2) days after the completion of the special public event.

- (e) The special public event sponsor shall be responsible for providing acceptable proof of insurance and indemnification. The name of a company or product providing sponsorship may be a prominent feature of the sign. However, general advertising signs are not permitted.

Secs. 80-159—80-184. - Reserved.

ARTICLE V. - SIGN STANDARDS AND REQUIREMENTS

DIVISION 1. - GENERALLY

Sec. 80-185. - Generally.

The charts in this article indicate the physical standards and requirements applicable to signs and the districts in which they are permitted. The standards are subject to other applicable technical code requirements.

Secs. 80-186—80-208. - Reserved.

DIVISION 2. - TEMPORARY SIGNS

Sec. 80-209. - Permitted temporary signs.

Temporary signs allowed within the city are listed in the table in section 80-211.

Sec. 80-210. - Approval.

All temporary signs shall be approved by the city unless otherwise provided in this chapter. Signs not approved by the city are subject to immediate removal by the city, at the expense of the owner. All temporary signs shall comply with the following standards:

- (1) *Illumination. Temporary signs exceeding six (6) square feet in area shall not be electrically illuminated.*
- (2) *Setbacks. Five (5) feet minimum from official right-of-way line unless attached to an existing building; Fifteen (15) feet from an interior side property line.*

- (3) *Maximum height. Maximum height shall ~~not exceed ten feet~~ be measured from the grade to top of the sign unless otherwise provided in this section.*
- (4) *Line of sight. All temporary signs shall be placed in such a manner not to interrupt the line of sight for vehicles at the intersections.*
- (5) *Prepainted or printed; no handwritten. All temporary signs shall be prepainted and/or printed. No handwritten signs shall be permitted.*

Sec. 80-211. - Specifications for permitted temporary signs.

The following temporary signs are permitted as provided in the table:

<u>Type of Sign</u>	<u>Maximum Size and Height</u>	<u>Setbacks</u>	<u>Time Period Allowed</u>	<u>Additional Conditions</u>
<u>Noncommercial (residential and nonresidential districts)</u>	<u>6 sq. ft. in area/4 feet in height</u>	<u>5 ft. from ROW and 15 ft. from side lot line</u>	<u>Three (3) months</u>	<u>An additional 6 sq. ft. of temporary signage may be installed for the period beginning 30 days prior to and ending 7 days after a city, state or federal election.</u>
<u>Noncommercial (nonresidential districts)</u>	<u>16 sq ft in area/4 ft in height</u>	<u>5 ft. from ROW and 15 ft. from side lot line</u>	<u>Three (3) months</u>	<u>An additional 6 sq. ft. of temporary signage may be installed for the period beginning 30 days prior to and ending 7 days after a city, state or federal election.</u>
<u>For Sale/Lease (residential districts)</u>	<u>6 sq. ft. in area/4 feet in height</u>	<u>5 ft. from ROW and 15 ft. from side lot line</u>	<u>Beginning the date the listing agreement is signed; removed within</u>	<u>An additional 6 sq. ft. of signage is allowed during the time in</u>

			<u>3 days of the closing of the transaction</u>	<u>which the premises are available for inspection by the prospective buyer or tenant.</u>
<u>For Sale/Lease (nonresidential districts)</u>	<u>32 sq. ft./8 feet in height</u>	<u>5 ft. from ROW and 15 feet from side lot line</u>	<u>Beginning the date the listing agreement is signed; removed within 3 days of the closing of the transaction</u>	<u>Permanent signs are required for buildings that have vacancies to sell or lease year-round. These permanent signs may not be pole signs and may be used in conjunction with temporary window signs.</u>
<u>Commercial (residential districts)</u>	<u>6 sq. ft. in area/6 feet in height</u>	<u>5 ft. from ROW and 15 feet from side lot line. Temporary banner signs may be affixed to a building wall.</u>	<u>30 days.</u>	
<u>Commercial (nonresidential districts)</u>	<u>16 sq. ft. in area/10 ft. in height</u>	<u>5 ft. from ROW and 15 ft. from side lot line. Temporary banner signs may be affixed to a building wall.</u>	<u>30 days</u>	

Type of Sign	Maximum Size (in square feet)	Setbacks and Earliest Installation Date (EID)	Final Removal Date	Notes and Remarks
Political signs (no permit required)	Residential—four square feet	Setback of five feet minimum from official R-O-W line	Seven days after election	One sign per candidate or issue per private property unless it is on a corner lot, in which two signs per candidate, measure of issue may be placed
	Signs shall not exceed four feet in height	EID residential—none		Signs may not be placed on public property
	Nonresidential—four square feet Sign shall not exceed six feet in height	EID nonresidential 30 days before primary, general or runoff election of referendum		No roof signs, banners or balloons
Free-speech signs (no permit required)	Residential, six square feet	Setbacks—Residential—5' minimum from official ROW line unless attached to an existing building; 15' from an interior side property line	None	Signs may not obstruct vision at corners, intersections, etc.
				One sign per residential dwelling or lot
				One sign per nonresidential parcel or lot Sign may be installed in lieu of any permitted nonresidential sign

Type of Sign	Maximum Size (in square feet)	Setbacks and Earliest Installation Date (EID)	Final Removal Date	Notes and Remarks
	Nonresidential, as permitted by sign regulations	Setbacks— Nonresidential, as permitted by sign regulations		Signs may not be placed on public property
		EID—None		Signs may not be placed in public rights-of-way
				Signs may not obstruct vision at corners, intersections, etc.
Sale: residential open house (no permit required)	Six	Setbacks—five feet minimum from official R-O-W line; 15 feet from an interior side property line	Day open house closes	
		EID—Day open house begins		
Sale of land, building, or portion of building and/or open house	32	Setbacks— Residential— five feet minimum from official R-O-W line; 1 five feet from an interior side property line	five days after closing	
		EID—When property offered for sale or development order issued or day open house begins		

Type of Sign	Maximum Size (in square feet)	Setbacks and Earliest Installation Date (EID)	Final Removal Date	Notes and Remarks
Rent or lease: building	32	<p>Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line.</p> <p>EID—When building offered or development order issued</p>	five days after rented or leased	Signs of permanent nature (no pole signs) are required for buildings that always (year round) have vacancies to rent or lease buildings and/or portion of building. This sign can be combined with permanent signs.
Rent or Lease: Portion of Building	16	<p>Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line</p> <p>EID—When building offered or development order issued</p>	five days after 100 percent (100 percent) rented or leased	Signs of permanent nature (no pole signs) are required for buildings that always (year round) have vacancies to rent or lease buildings and/or portion of building. This sign can be combined with permanent signs.
Construction and/or Development Sign	64	Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line	On receipt of first certificate of occupancy	One sign for every 360 feet of frontage

Type of Sign	Maximum Size (in square feet)	Setbacks and Earliest Installation Date (EID)	Final Removal Date	Notes and Remarks
		EID—When complete development order application filed with city		
Project Suppliers/trades	32	Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line EID— Issuance of building permit	On receipt of final certificate of occupancy	32 square feet is total for all suppliers/trades
Signage on construction barrier/fence	Ten percent of the total barrier area	Setbacks and EID as required for construction barriers Signage may exceed 2 feet above the height of the construction barrier	Same as the construction barrier.	Signage identifying the nature of the property's current development, contractor's information, leasing information, corporate logos and renditions of the future development
Murals and other decorative elements on the	15 percent of the total barrier area	Setbacks and EID as required	Same as the construction barrier	Letters, logos and numbers are prohibited

Type of Sign	Maximum Size (in square feet)	Setbacks and Earliest Installation Date (EID)	Final Removal Date	Notes and Remarks
construction barriers/fence		for construction barriers		May not contain any rendition of the proposed development or element of the proposed development
Grand opening/project opening/new businesses	32	Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line EID— 30 days before event	Seven days after opening or event	Special event approval is required prior to sign approval
Outparcel/phase opening	32	Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line EID— 7 days before event	Ten days after opening	
Special event/sale not for profit	16	Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line	One day after sale/event	Not for profit/nonprofit organization only

Type of Sign	Maximum Size (in square feet)	Setbacks and Earliest Installation Date (EID)	Final Removal Date	Notes and Remarks
		EID—7 days before event		Special event approval is required prior to sign approval
Special event/sale for profit	16	Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line EID—7 days before event	One day after sale/event	Special event approval is required prior to sign approval
Golf event sign	16	Setback requirements— Banner affixed to the building or tenant unit EID—7 days before event	One day after event	Banner must include reference to the golf event
Special event— School/day care/nursery	32	Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line EID— Allowed for a maximum of 30 days for every special event.	Allowed for a maximum of 30 days for every special event.	

Type of Sign	Maximum Size (in square feet)	Setbacks and Earliest Installation Date (EID)	Final Removal Date	Notes and Remarks
Garage sale	4	Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line EID— One day before sale	Day of sale	One sign for the sale
Outside sales/sites without buildings	16	Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line EID— Day before sale	One day after sale	Must comply with council-approved administrative policy
Special event direction signage	4	Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line EID— Day before event	One day after event	Special event approval is required prior to sign approval

Type of Sign	Maximum Size (in square feet)	Setbacks and Earliest Installation Date (EID)	Final Removal Date	Notes and Remarks
Construction entrance	16	Setbacks— Residential— five feet minimum from official R-O-W line; 15 feet from an interior side property line EID—Issuance of land clearing, land alteration, or building permit	On receipt of final certificate of occupancy	

Secs. 80-212—80-230. - Reserved.

DIVISION 3. - PERMANENT SIGNS FOR RESIDENTIAL USES DISTRICTS

Sec. 80-231. - Development identification signs.

- (a) Development identification sign are permitted only for:
 - (1) *Multifamily buildings with more than five (5) units;*
 - (2) *Single-family developments with more than five (5) units.*
- (b) Where multifamily dwellings are part of a larger development, there shall be only one (1) development identification sign on each public street frontage of the development.
- (c) Development identification sign are permitted as provided in the following table:

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One (1) monument sign (or sign mounted on perimeter wall) per street frontage indicating the name and address of the complex, except two (2) are permitted where attached to wall of symmetrical entrance feature.

Sign area (maximum)	Forty (40) square feet for each sign
Sign height (maximum)	Eight (8) feet from grade to top of the sign
Setback (minimum)	Five (5) feet from right-of-way, five feet from interior side property line
Illumination	<u>Internally or Externally illuminated signs only, as permitted by site plan.</u>

Sec. 80-232. –Directional signs.

Directional signs are permitted as provided in the following table:

Approvals Necessary	Planning and Zoning, Building Departments
Number	To be approved as part of site plan. If not, approved as part of site plan, separate permits required
Sign area (maximum)	Four (4) square feet each sign
Sign height (maximum)	Three (3) feet
Other restrictions	No advertising copy. Logos may cover no more than 25 percent of the sign area

Sec. 80-233. – ~~Residential~~ Clubhouse signs. (We need have a standards for non-residential clubhouse)

(a) *Permitted.* The following signs are permitted as provided in this section for all authorized residential clubhouses uses in the city:

(1) *Detached, freestanding or monument signs. Detached, freestanding or monument signs where otherwise permitted, shall not be closer than 200 feet to any other previously permitted detached, freestanding or monument sign.*

Approvals Necessary	Planning and Zoning and Building Departments
Number (maximum)	One (1) sign
Sign area (maximum)	Forty (40) square feet for first 50 feet of lot frontage; additional 0.75 square feet of sign area for each additional foot of street frontage; maximum area of <u>60</u> 56 square feet

Sign height (maximum)	Eight (8) feet
Setback (minimum)	Setback from the street R-O-W is seven (7) feet for a sign not exceeding 40 square feet; thereafter additional setback of 0.8125 feet for each ten (10) square feet of sign, calculated to the nearest <u>.5 ½</u> foot.
From side property line	<u>Twenty</u> (20) feet
Illumination	Externally illuminated signs
Supplemental provisions	Logos may cover no more than 25 percent of the sign area
Landscaping and visibility sight triangle on corner lot	See applicable provisions contained in this section
Changeable copy sign	Changeable copy is permitted up to 20 percent of the sign area, excluding graphics and logos as defined in Section 80-3
Digital changeable message sign	Digital changeable message signs are not permitted, <u>as specified in this Chapter.</u>

(2) *Wall sign.*

Approvals Necessary	Planning and Zoning and Building Departments
Number (maximum)	One (1) wall sign per building
	Corner or through lots may have an additional wall sign. Such second sign shall be limited to 50 percent of the square footage of the primary sign. Such second sign shall not be placed on the same building elevation as the primary sign
Sign area (maximum)	One (1) square foot for each one lineal foot of building frontage
Location	No wall sign shall be installed on a building elevation that faces an adjacent residentially zoned property located within 300 feet of the elevation
Illumination	<u>Internally and Externally illuminated signs only, as permitted by site plan.</u>

(3) *Window sign (permanent). Window signs are permitted as follows:*

Approvals Necessary	Planning and Zoning Department
---------------------	--------------------------------

Number (maximum)	One (1) per establishment
Sign area (maximum)	Four (4) square feet
Illumination	Prohibited

(4) *Directional sign. Directional signs are permitted as follows:*

Approvals Necessary	Planning and Zoning Department
Number	To be approved as part of site plan; if not approved as part of site plan, permit required
Sign area (maximum)	Four (4) square feet
Height (maximum)	Three (3) feet
Other restrictions	No advertising copy. Logos may cover no more than 50 percent of the sign area

Sec. 80-234. - LED electronic messaging for single-family residential developments.

(a) *Permitted.* The following sign is permitted as provided in this section for all authorized gated residential communities with an existing HOA.

(1) *Wall sign. The LED electronic messaging sign is permitted only as part of the guardhouse or design. This sign is permitted as follows:*

Approvals Necessary	Planning and Zoning and Building Departments
Number (maximum)	<u>One (1) per development entrance, maximum not to exceed three (3) per development</u>
Sign area (maximum)	Eight (8) square feet.
Sign height (maximum)	Eight (8) feet from adjacent grade.
Setback (minimum)	Shall only be allowed as part of a wall-scape of the guard house <u>or other load-bearing, wind-resistant vertical structure.</u>
Illumination	Stagnant LED display and shall be limited to static messages only.

Supplemental provisions	Shall contain a default mechanism that freezes the image in one position in case of a malfunction.
	Shall have an integral and fully operational ambient light monitor, dimmer(s), photocells and similar light cutoff and management devices which shall continuously monitor and automatically adjust the permit-approved sign brightness levels based on natural ambient light conditions.
	Shall operate only with automatic dimmer software or solar sensors to control brightness for night time viewing. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard.
	The sign shall not be visible from the right of way.
Landscaping and visibility sight triangle on corner lot	See applicable provisions contained in this section.
Digital Changeable message	Shall be displayed for a minimum of eight (8) seconds.
	The transition duration between messages shall be accomplished within two (2) seconds, including all changes of message must appear on the entire sign face.
	No flashing dimming or brightening is permitted except to accommodate changes of message.
Other Restrictions	The City Manager or his designee shall cause the removal of any LED electronic messaging sign which is in violation of this ordinance, in accordance with the Code Compliance procedures.
	No sign permit shall be issued unless the Planning & Zoning Department has first determined that the residential community is in compliance with applicable local regulations.
	No commercial advertisement.

- (b) Enforcement. Violations of this section shall be enforced by the code compliance department in accordance with chapter 11 and sections 80-73—80-79 of the City Code, with penalties as provided therein.

Secs. 80-235—80-257. - Reserved.

DIVISION 4. - PERMANENT SIGNS FOR NONRESIDENTIAL DISTRICTS

Sec. 80-258. - Commercial retail signs.

(a) *Permitted.* The following signs are permitted as provided in this section for all authorized commercial and retail uses in the city:

- (1) ***Detached, freestanding or monument signs.*** *Detached, freestanding or monument signs where otherwise permitted shall be permitted one per frontage ~~not be closer than 200 feet to any other previously permitted detached, freestanding or monument sign.~~ In areas where the lot widths are less than 200', such signs shall be separated to the maximum extent possible. Only ten (10) percent of this signs could contain changeable copy in the entire city except for signs fronting on Doral Boulevard and within 1,000 feet of Doral Boulevard.*

Approvals Necessary	Planning and Zoning and Building Departments
Number (maximum)	One (1) for first 300 lineal feet of frontage; each additional sign for every 500 lineal feet of frontage thereafter. Except for gasoline station parcels where a forty (40) square foot sign shall be permitted notwithstanding the street frontage or distance separation of the parcel occupied by the gasoline station. Subdivision of an existing building or planned building group shall not entitle the new parcels to additional monument signs.
Sign area (maximum)	Forty (40) square feet for first 50 feet of lot frontage; additional 0.75 square feet of sign area for each additional foot of street frontage; maximum area of 300 square feet
Sign height (maximum)	Eight (8) feet; twelve (12) feet for gas stations
Setback (minimum)	Setback from the street R-O-W is seven (7) feet for a sign not exceeding forty (40) square feet; thereafter additional setback of 0.8125 feet for each ten (10) square feet of sign, calculated to the nearest $.5 \frac{1}{2}$ foot. Interior side setback is a minimum of $3\frac{1}{2}$ feet for a sign not exceeding forty (40) square feet; thereafter the interior side setback shall be increased by ten (10) percent of the calculated street frontage up to 100 lineal feet and by twenty (20) percent of the calculated street frontage where the same exceeds 100 lineal feet but does not exceed 200 lineal feet; then increases by thirty (30) percent of the calculated street frontage above the 200 lineal feet.
From side property line	Twenty (20) feet

Illumination	Externally illuminated signs or internally illuminated letters or logos only
Supplemental provisions	Logos may cover no more than twenty-five (25) percent of the sign area
	Time and temperature sign authorized within total permitted sign area
Landscaping and visibility sight triangle on corner lot	See applicable provisions contained in this section
Changeable copy sign	Schools, religious and public institutions only may be permitted one changeable copy sign in lieu of the permitted monument sign. Said sign shall not exceed 48 square feet in sign area
Digital changeable message sign	The digital changeable message sign shall not exceed 48 square feet in sign area

- (2) *Wall sign. Wall signs are permitted only on buildings where the majority of the floor area is in retail use. In the case of a multi-tenant center, wall signs are permitted on walls that face an access drive or internal courtyard.*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One (1) per ground or second floor establishment which has its own frontage and entrance facing a public street. (If the parcel frontage requirement for a monument sign precludes an office building from having a monument sign, one building identification wall sign that otherwise meet the wall sign standards is authorized). Corner or through store locations may have an additional wall sign. Such second sign shall be limited to 50 percent of the square footage of the primary sign. Individually use buildings, may have multiple signs not to exceed the sign area requirements.
Sign area (maximum)	1.25 square feet for each one lineal foot of tenant frontage
Illumination	See definition of reverse or channel letter sign

- (3) *Canopy sign. Canopy signs are permitted as follows:*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One (1) per canopy
Sign area (maximum)	Four (4) square feet
Minimum clearance above ground	Eight (8) feet
Must be rigidly attached	

(4) *Awning sign. Awning signs are permitted as follows:*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One (1) per establishment
Lettering	One (1) line; letters not to exceed 12 inches in height
Logo	Maximum of six (6) square feet

(5) *Directory sign. Directory signs are permitted as follows:*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One (1) per multi-tenant center, in addition to other permitted signs
Sign area (maximum)	Thirty-two (32) square feet. Complex name and/or address shall not exceed 50 percent of base height
Location	On building wall (or freestanding within internal courtyard)
Illumination	Externally or internally illuminated signs

(6) *Window sign (permanent). Window signs are permitted as follows:*

Approvals Necessary	Planning and Zoning Department
Number (maximum)	One (1) per establishment
Sign area (maximum)	25% of window frontage
Illumination	Prohibited
Permitting	Unless the window sign contains structural components that warrant a building permit pursuant to the Florida Building Code, window signs do not require a building permit. However, window signs must be approved by the Planning and Zoning Department.

- a. *Grace period.* Any sign existing on the effective date of this Ordinance and which is in violation of this Ordinance shall be brought into compliance within twelve (12) months of the effective date.
- b. *Window sign application.* Property owners shall submit a "window sign" application to the planning and zoning department for review and approval. The application shall include the following:
 - 1. Property identification information such as, but not limited to the Name, Address, and Unit Number (if applicable) of the business location.
 - 2. Window area measured in square feet.
 - 3. Sign area measured in square feet.
 - 4. Indication of the materials being used for the sign.
 - 5. Diagram of the sign.

(7) *Directional sign. Directional signs are permitted as follows:*

Approvals Necessary	Planning and Zoning Department
Number	<u>Equal to the number of vehicular access points to the property.</u> To be approved as part of site plan; if not approved as part of site plan, permit required
Sign area (maximum)	Four (4) square feet
Height (maximum)	Three (3) feet
Other restrictions	No advertising copy. Logos may cover no more than 50 percent of the sign area

- (b) Canopy and awning sign requirements. The requirements for the canopy and awning signs permitted in this section are as follows:

(1) *Canopy sign. Canopy signs are permitted as follows:*

Sign area (maximum)	Four (4) square feet each sign
Sign height (maximum)	Three (3) feet
Other restrictions	No advertising copy. Logos may cover no more than 25 percent of the sign area

(2) *Awning sign. Awning signs are permitted as follows:*

Sign area (maximum)	Four (4) square feet each sign
Sign height (maximum)	Three (3) feet
Other restrictions	No advertising copy. Logos may cover no more than 25 percent of the sign area

Sec. 80-259. - Office signs.

The following signs are permitted for all authorized office uses in the city:

(1) *Detached, freestanding or monument signs. Detached, freestanding or monument signs where otherwise permitted, shall not be closer than 200 feet to any other previously permitted detached, freestanding or monument sign. In areas where the lot widths are less than 200', such signs shall be separated to the maximum extent possible.*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One for first 300 lineal feet of frontage; each additional sign for every 500 lineal feet of frontage thereafter. Subdivision of an existing building or planned building group shall not entitle the new parcels to additional monument signs.
Sign area (maximum)	40 square feet for first 50 feet of lot frontage; additional 0.75 square feet of sign area for each additional foot of street frontage; maximum area of 300 square feet
Sign height (maximum)	Eight (8) feet
Setback (minimum)	From right-of-way line: Seven (7) feet
	From side property line: 20 feet
Illumination	Externally illuminated signs or internally illuminated letters or logos only
Supplemental provisions	Logos may cover no more than 25 percent of the sign area

	Time and temperature sign authorized within total permitted sign area
Landscaping and visibility sight triangle on corner lot	See applicable provisions contained in this section
Changeable copy sign	Schools, religious and public institutions only may be permitted one changeable copy sign in lieu of the permitted monument sign. Said sign shall not exceed 48 square feet in sign area

(2) *Wall sign. In the case of a multi-tenant center, permitted on walls that face an access drive or internal courtyard as follows:*

Approvals Necessary	Planning and Zoning and Building Departments
Number (maximum)	One (1) per ground or second floor establishment which has its own frontage and entrance facing a public street. (If the parcel frontage requirement for a monument sign precludes an office building from having a monument sign, one (1) building identification wall sign that otherwise meet the wall sign standards is authorized). Corner or through office locations may have an additional wall sign. Such second sign shall be limited to 50 percent of the square footage of the primary sign
Sign area (maximum)	1.25 square feet for each one lineal foot of tenant frontage.
Illumination	See definition of reverse or channel letter sign

(3) *Wall sign. Permitted only on office and hotel buildings with signs located one (1) to five (5) stories high as follows:*

Approvals Necessary	Planning and Zoning and Building Departments
Number (maximum)	One (1) wall sign per building
	Corner or through store locations may have an additional wall sign. Such second sign shall be limited to 50 percent of the square footage of the primary sign. Such second sign shall not be placed on the same building elevation as the primary sign
Sign area (maximum)	One (1) square foot for each one (1) lineal foot of building frontage

Location	No wall sign shall be installed on a building elevation that faces an adjacent residentially zoned property located within 300 feet of the elevation
Illumination	See definition of reverse or channel letter sign

- (4) *Wall sign. Permitted only on office and hotel buildings with signs located six to ten stories high as follows:*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	Two (2) wall signs per building, with one (1) wall sign only per building elevation
Sign area (maximum)	1½ square foot for each one lineal foot of building frontage
Location	No wall sign shall be installed on a building elevation that faces an adjacent residentially zoned property located within 300 feet of the elevation
Illumination	See definition of reverse or channel letter sign

- (5) *Wall sign. Permitted only on office and hotel buildings with signs located 11 to 15 stories high as follows:*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	Two (2) wall signs per building, with one wall sign only per building elevation
Sign area (maximum)	One and three-quarters square feet for each one lineal foot of building frontage
Location	No wall sign shall be installed on a building elevation that faces an adjacent residentially zoned property located within 300 feet of the elevation
Illumination	See definition of reverse or channel letter sign

- (6) *Wall sign. Permitted only on office and hotel buildings with signs located 16 to 20 stories high as follows:*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	Two (2) wall signs per building, with one wall sign only per building elevation
Sign area (maximum)	Two (2) square feet for each one (1) lineal foot of building frontage
Location	No wall sign shall be installed on a building elevation that faces an adjacent residentially zoned property located within 300 feet of the elevation
Illumination	See definition of reverse or channel letter sign

(7) *Directory sign. Directory signs permitted as follows:*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One (1) per multi-tenant center, in addition to other permitted signs
Sign area (maximum)	Thirty-two (32) square feet. Complex name and/or address shall not exceed 50 percent of base height
Location	On building wall (or freestanding within internal courtyard)
Illumination	Externally or internally illuminated signs

(8) *Directional sign. Directional signs permitted as follows:*

Approvals Necessary	Planning and Zoning Department
Number	Equal to the number of vehicular access points to the property. To be approved as part of site plan; if not approved as part of site plan, permit required
Sign area (maximum)	Four (4) square feet
Height (maximum)	Three (3) feet
Other restrictions	No advertising copy. Logos may cover no more than 50 percent of the sign area

Sec. 80-260. - Industrial signs.

The following signs are permitted for all authorized industrial uses in the city:

- (1) **Detached, freestanding or monument signs.** *Detached, freestanding or monument signs where otherwise permitted, shall not be closer than 200 feet to any other previously permitted detached, freestanding or monument sign as follows:*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One (1) for first 300 lineal feet of frontage; each additional sign for every 500 lineal feet of frontage thereafter. (Subdivision of an existing building or planned building group shall not entitle the new parcels to additional monument signs)
Sign area (maximum)	40 square feet for first 50 feet of lot frontage; additional 0.75 square feet of sign area for each additional foot of street frontage; maximum area of 300 square feet
Sign height (maximum)	Eight feet
Setback (minimum)	From right-of-way line: Seven feet
	From side property line: 20 feet
Illumination	Externally illuminated signs or internally illuminated letters or logos only
Supplemental provisions	Logos may cover no more than 25 percent of the sign area
	Time and temperature sign authorized within total permitted sign area
Landscaping and visibility sight triangle on corner lot	See applicable provisions contained in this section
Changeable copy sign	Schools, religious and public institutions only may be permitted one changeable copy sign in lieu of the permitted monument sign. Said sign shall not exceed 48 square feet in sign area

- (2) **Wall sign.** *Wall signs permitted as follows:*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One wall sign per building; one for each tenant unit.
	Corner or through store locations may have an additional wall sign; the second sign shall be limited to 50 percent of the square footage of the

	primary sign and shall not be placed on the same building elevation as the primary sign
	Individual use buildings may have multiple signs not to exceed the sign area requirements.
Sign area (maximum)	One square foot for each one lineal foot of building frontage
Location	No wall sign shall be installed on a building elevation that faces an adjacent residentially zoned property located within 300 feet of the elevation
Illumination	See definition of reverse or channel letter sign

(3) **Directory sign.** *Directory signs permitted as follows:*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One per multi-tenant center, in addition to other permitted signs
Sign area (maximum)	32 square feet; the complex name and/or address shall not exceed 50 percent of base height
Location	On building wall (or freestanding within internal courtyard)
Illumination	Externally or internally illuminated signs

(4) **Directional sign.** *Directional signs permitted as follows:*

Approvals Necessary	Planning and Zoning Department
Number	To be approved as part of site plan; if not approved as part of site plan, permit required
Sign area (maximum)	Four square feet
Height (maximum)	Three feet
Other restrictions	No advertising copy; logos may cover no more than 50 percent of the sign area

Sec. 80-261. - Regional mall signs.

- (a) *Permitted.* The following signs are permitted in all regional malls located within the city:

- (1) *Detached, mall identification sign. Detached, mall identification signs permitted as follows:*

Approval Necessary	Planning and Zoning, Building Departments
Number (maximum)	One per regional mall
Sign area (maximum)	Maximum of 800 square feet of sign area with up to 50 percent of maximum area as digital changeable message sign; on each side of monument
Calculation	The square footage shall be calculated based only on the side/area having copy and not include any side without copy on architectural features or shaped signs such as cubes, squares or other geometric shapes or any base or structure around, above or under the sign area
Sign height (maximum)	40 feet
Setback (minimum)	15 feet
Illumination	External or internal illumination of letters and logos only
Digital changeable message sign	Maximum of 400 square feet per screen; maximum two screens

- (2) *Detached, freestanding monument signs. Detached, freestanding monument signs may be located at each entry drive onto the regional mall property from any abutting public right-of-way as follows:*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One per access drive
	One per each establishment which is located adjacent to the public right-of-way or internal roadway
Sign area (maximum)	300 square feet of sign area
Calculation	The square footage shall be calculated based only on the side/area having copy and not include any side without copy on architectural

	features or shaped sign such as cubes, squares or other geometric shapes. On individual access drives, up to two signs are permitted that do not exceed combined area of 300 square feet.
Freestanding establishment	See nonresidential sign requirements
Sign height (maximum)	20 feet
Setback (minimum)	Six feet
Illumination	External or internal illumination of letters and logos only

- (3) *Wall signs. Wall signs are only permitted on the three exterior walls of each of the major tenants of not less than 100,000 square feet that face the exterior regional mall property. Other tenants larger than 10,000 square feet, or that provide direct pedestrian access from the mall property, such as major restaurants or theaters, may also have wall signs.*

Approval Necessary	Planning and Zoning, Building Departments
Number (maximum)	One for each exterior wall for a tenant of at least 10,000 square feet, facing the exterior mall premises. Such sign may only be located on the exterior wall of the specific tenant space identified.
Sign area (maximum)	500 square feet per wall for major tenants; 750 square feet total for minor tenants unless they have only one wall, in which they will be limited to 500 square feet
Major tenants (minimum 100,000 square feet of floor area)	Lettering not over 12 inches located on a wall, overhang or canopy which designates specific uses of a 100,000 square feet tenant shall not constitute a sign for purposes of this section
Minor tenants (minimum 10,000 square feet of floor area)	Lettering not over 12 inches located on a wall, overhang or canopy which designates specific uses of a 10,000 square feet tenant shall not constitute a sign for purposes of this section
Exterior access tenants (under 10,000 square feet of floor area)	75 square feet

Illumination	Reverse or channel letters or external illumination
--------------	---

- (4) *General mall signage. General mall signage may be placed on the exterior elevations of the mall in addition to the provisions stated in this section.*

Approval Necessary	Planning and Zoning, Building Departments
Wallscape signs	Maximum sign area of 575 square feet; lettering not over 12 inches; logos not more than 50 percent of the sign area; maximum two signs to be used on exterior walls of mall and adjacent to mall common area entrances
Wall mall identification signs	300 square feet; maximum two signs to be used at any exterior wall except on exterior walls serving major tenants over 100,000 square feet of floor area
Illumination	External illumination
Mall expansion	In the event the mall expands (including the addition of new freestanding structures/buildings), signage for expansions shall be approved in conjunction with the site plan approval of those structures/buildings. A sign program shall be submitted which indicates the type, style, material, size and location of the proposed signs, both freestanding and wall mounted

- (5) *Canopy sign.*

Approvals necessary	Planning and Zoning, Building Departments
Number (maximum)	One per establishment
Sign area (maximum)	Four square feet
Minimum clearance above ground	Eight feet
Construction	Must be rigidly attached

- (6) *Awning sign.*

Approvals Necessary	Planning and Zoning, Building Departments
Number (maximum)	One per awning
Lettering and logo	50 percent of the awning surface area

- (7) *Window sign.*

Approvals Necessary	Planning and Zoning Department (no building permit necessary)
Number (maximum)	One per establishment
Sign area (maximum)	Four square feet

Illumination	Internal or external illumination
(8) <i>Directional signs.</i>	
Approvals Necessary	Planning and Zoning Department (no building permit necessary)
Number	Approval as part of a site plan; if not approved as part of a site plan, permit required. Such signs may be located as part of the internal road system as needed to ensure traffic flow and circulation
Sign area	100 square feet
Height	Ten feet
Other restrictions	Only 10,000 square feet tenant identification, name and/or logos allowed. A maximum of ten panels permitted per sign fascia
	Logos may cover no more than 50 percent of the sign area

- (b) *Procedure.* Since mall areas are by nature public access areas, necessary precautions must be taken for the public safety, and permits will be required and processed in the usual fashion for any sign installation in the mall area. The processing shall include usual requirements for plans showing construction, method of installation, location, size and height above the pedestrian pathway. Interior wall, window, awning, canopy signs and interior mall directory signs will be permitted and shall not be calculated as one of the signs permitted under the sign section. Any nonconforming, legally permitted signs that existed at the time this section became effective may be continued, although it does not conform to all the provisions hereof, provided that no structural alterations are made thereto except for change of copy.
- (c) *Interior and courtyard signs.* The courtyard area may have entry signs and logos to identify the courtyard area but shall not specify tenants. Such signs may be mounted on a wall, entry structure or other decorative feature. Such entry signage or lettering shall be limited to 75 square feet. Signage internal to the enclosed structure or courtyard of a regional mall shall not be required to conform to these regulations. However, a building permit shall be required for installation of all such signs.
- (d) *Directional parking garage signs exempt.* Directional signs without advertising throughout the parking garage are exempt from this limitation.

Sec. 80-262. - Supplemental regulations.

- (a) *Regional mall alternative sign graphics criteria.* The owner of a regional mall, or its authorized representative, may choose to comply with the

standards for regional mall district signs or, alternatively, apply for approval of alternative sign graphics criteria as follows:

- (1) *The owner shall submit to the city manager a written statement of the uniform sign graphics criteria (the "criteria"). The city manager shall review the criteria, make a recommendation and submit the criteria, along with the recommendation, to the city council for final approval. Once the criteria have been approved, they shall apply to the entire regional mall, as well as to each individual occupant, and shall remain in effect for as long as the regional mall center exists, regardless of any change in ownership or management, unless and until the owner obtains approval to amend the criteria or revert to the standards contained herein from the city council. The criteria for each regional mall shall include, but not be limited to, colors, type of signs, style of letters, size of letters (maximum or minimum) and size of signs.*
 - (2) *Any applications to erect any sign, except for those signs defined herein which do not require a permit, for any portion of a regional mall shall include and comply with the criteria established for the regional mall, a sketch of the proposed sign and the written consent of the owner of the multi-tenant center for the proposed sign.*
- (b) Landscaping of detached, monument, and freestanding signs. Unless otherwise provided in this Land Development Code, all detached, monument, and freestanding signs shall be placed in a planting bed with landscaping surrounding the sign on all sides. This bed shall contain shrubs, flowers or other ground cover, and shall be shown on a site plan or survey submitted for approval in conjunction with a sign permit application.

Sec. 80-263. - Golf course signs.

- (a) *Permitted.* The following sign is permitted as provided in this section for all authorized golf courses in the city:
 - (1) *Detached, freestanding or monument signs. Detached, freestanding or monument signs where otherwise permitted, shall not be closer than 200 feet to any other previously permitted detached, freestanding or monument sign.*

Approvals Necessary	Planning and Zoning and Building Departments
------------------------	---

Number (maximum)	One sign per golf course. <u>In the event the golf course is not associated with a residential clubhouse, then a second sign is permitted.</u>
Sign area (maximum)	72 square feet maximum if located on a Section Line road, 48 square feet maximum if located on a Half Section road and 32 square feet maximum if located on a Quarter Section or Local road. Up to 25% of the sign area may be used to advertise the clubhouse and/or activities and uses located at the clubhouse, the remainder to advertise the golf course. <u>In the event the golf course is not associated with a residential clubhouse, then a second sign is permitted</u>
Sign height (maximum)	Eight feet if located on a Section Line Road, Six feet for all other roads
Setback (minimum)	Setback from the street R-O-W is seven feet for a sign not exceeding 40 square feet; thereafter additional setback of 0.8125 feet for each ten square feet of sign, calculated to the nearest ½ foot
From side property line	20 feet
Illumination	Externally illuminated signs
Supplemental provisions	Logos may cover no more than 25 percent of the sign area
Landscaping and visibility sight triangle on corner lot	See applicable provisions contained in this section
Digital changeable message sign	Digital changeable message signs are not permitted.

Secs. 80-264—80-287. - Reserved.

ARTICLE VII. – SUBSTITUTION AND SEVERABILITY

Sec. 80-314. Substitution of noncommercial speech for commercial speech; content-neutrality as to sign message.

A. Notwithstanding anything to the contrary contained in this chapter, any sign permitted by this Code may be permitted to substitute or change the lettering on said sign face to convey noncommercial messages as often as the person owning or in control of the sign wishes, provided that all other

criteria of this Code relating to design criteria, size, setbacks, etc., are satisfied.

- B. Notwithstanding anything to the contrary contained in this chapter, no sign or sign structure shall be subject to any limitation based solely upon the content of the message contained on such sign or displayed on such sign structure.

Sec. 80-315. Severability.

- A. *Generally.* If any part, Section, subsection, paragraph, subparagraph, sentence, phrase, term, clause, or word of this Chapter is declared unconstitutional by the final and valid judgment or decree of any court of competent jurisdiction, this declaration of unconstitutionality or invalidity shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter.
- B. *Severability where less speech results.* This subsection shall not be interpreted to limit the effect of subsection 80-315A above, or any other applicable severability provisions in the code of ordinances or any adopting ordinance. The City Council specifically intends that severability shall be applied to these Sign regulations even if the result would be to allow less speech in the City, whether by subjecting currently exempt signs to permitting or by some other means.
- C. *Severability of provisions pertaining to Prohibited Signs.* This subsection shall not be interpreted to limit the effect of subsection 80-315A above, or any other applicable severability provisions in the code of ordinances or any adopting ordinance. The City Council specifically intends that severability shall be applied to Sec. 80-102 “Prohibited Signs,” so that each of the prohibited sign types listed in that Section shall continue to be prohibited irrespective of whether another sign prohibition is declared unconstitutional or invalid.
- D. *Severability of prohibition on Off-Premises Signs.* This subsection shall not be interpreted to limit the effect of subsection 80-315A above, or any other applicable severability provisions in the code of ordinances or any adopting ordinance. If any or all of Chapter 80 “Sign Regulations,” or any other provision of the City Code is declared unconstitutional or invalid by the final

and valid judgment of any court of competent jurisdiction, the City Council specifically intends that the declaration shall not affect the prohibition on Off-Premises Signs in Sec. 80-302.

* * *

Section 4. Chapter 14 of the City Code Amended. Chapter 14 of the City's Land Development Code is hereby amended as follows:

Chapter 14 - ELECTIONS

* * *

ARTICLE IV. - POLITICAL SIGNS

~~Sec. 14-72. - Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Election signs are signs announcing political candidates seeking public office or advocating positions relating to ballot issues.~~

~~Public property means all publicly owned property, including streets, rights-of-way, and easements.~~

~~Sec. 14-73. - Purpose.~~

~~The purpose of this article is to promote the public health, safety and welfare through the regulation of placement, size, type, and removal of election signs.~~

~~Sec. 14-74. - Regulations for placement, size, type, removal, etc.~~

- ~~(a) — It shall be unlawful for any person to post an election sign upon any public property in the city including, but not limited to, signs posted for any local, county, state, national, or special district elections. Unlawfully posted signs on public rights-of-way shall be subject to removal by the city immediately.~~
- ~~(b) — Election signs shall be permitted in all zoning districts. Election signs shall be placed at least five feet from the right-of-way.~~

- ~~(c) — No more than one election sign per candidate, measure or issue shall be permitted on any one private property site unless it is on a corner lot, in which case two signs per candidate, measure, or issue may be placed.~~
- ~~(d) — The maximum size of any election sign shall not exceed four square feet in area and four feet in height in residential districts. Elections signs in nonresidential districts shall not exceed four square feet in area and shall not exceed six feet in height.~~
- ~~(e) — Election roof signs, banners or balloons are prohibited in all districts.~~
- ~~(f) — No election sign may be placed upon private property sooner than 60 days prior to the election in which the candidate's name or ballot issue shall appear on the ballot. In the event of a runoff election following a primary election, political signs may remain on private property until seven days after the runoff election notwithstanding the fact that the runoff is later than 30 days following the primary election.~~
- ~~(g) — All election signs shall be removed seven calendar days subsequent to the election for which they relate.~~

~~Sec. 14-75. – Pre-election requirements.~~

- ~~(a) — Prior to the posting of election signs, each candidate, campaign chairperson, firm or corporation shall file with the city clerk's office and provide the local address and telephone number at which the candidate, campaign chairperson, firm or corporation wishing to post the signs may be reached during normal business hours concerning any violations of this article or requirements of the city.~~
- ~~(b) — A cash bond of \$500.00 shall be required from each election campaign. This bond shall be conditioned upon the removal of all political signs of that candidate or issue within seven calendar days of the election to which they relate. Failure to remove all the signs shall be cause for the city manager or his designee to direct that the signs be removed by the city and the bond forfeited. The cash bond may be waived by the city clerk's office, in its discretion, when and if the candidate is able to show good cause that posting the cash bond would result in considerable financial hardship. Burden is on the candidate to demonstrate that requiring the posting of the bond would result in a considerable financial hardship.~~
- ~~(c) — The cash bond shall be returned upon timely request from the election campaign and verification from the code compliance division that all election signs have been removed within the time limits of this article. Successful candidates in nominating or elections may continue to display their signs~~

~~during interval between the nominating or primary and general elections without posting an additional bond.~~

~~Sec. 14-76. - Election advertising vehicles prohibited; penalties.~~

- ~~(a) It shall be unlawful for any person to operate an election advertising vehicle upon any street under the city's jurisdictions. An election advertising vehicle is any wheeled conveyance designed or used for the primary purpose of displaying election and/or campaign signs. Election advertising vehicles shall not include or attach any trailers or haul any other vehicle or trailer. This section shall not apply to:~~
- ~~(1) Private vehicles which have no more than two signs safely displayed, the size of which shall comply with section 14-74.~~
 - ~~(2) Mass transit and public transportation, including, but not limited to, buses.~~
 - ~~(3) Taxicabs.~~
- ~~(b) Penalties. A violation of this section shall be subject to a fine not exceeding \$500.00 or by imprisonment for a term not exceeding 60 days, or both such fine and imprisonment.~~

~~Sec. 14-77. - Enforcement procedures.~~

- ~~(a) Any violation or repeat violation of this article may be pursued by the code enforcement division by any means available by law or equity, at the option of the city manager or his designee. Any person or campaign violating this section shall be issued a civil violation (citation) in the amount of \$100.00 per violation.~~
- ~~(b) After 24 hours' notification is given to the campaign chairperson or a designee, the city manager or his designee may draw on the bond placed pursuant to this section towards the payment of any delinquent penalties which are assessed by the city for any violations of the provisions herein. Notification shall be deemed legally sufficient upon the city, during regular business hours, attempting to contact by telephone the number by which the chairperson or a designee filed with the city clerk's office. Notification shall not be required within 48 hours of the election. Penalties may be assessed immediately upon violation within 48 hours of an election.~~

* * *

Section 4. Implementation. The City Manager, City Clerk, and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to

take any and all necessary administrative actions as may be appropriate by their position to execute the purpose of this Ordinance.

Section 5. Incorporation into the Code. The provisions of this Ordinance, to the extent appropriate, shall become and be made a part of the Code of Ordinances of the City of Doral. The City Clerk is authorized to take all actions necessary to incorporate the provisions of this Ordinance into the Code of Ordinances, including but not limited to, renumbering or re-lettering sections and to change and what the word “ordinance” may be changes to “section,” “article,” or such appropriate word or phrase in order to accomplish such intention.

Section 6. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, if being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 7. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 8. Effective Date. This Ordinance shall become effective immediately upon approval on second reading.

The foregoing Ordinance was offered by _____, who moved its adoption. The motion was seconded by _____ upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	_____
Vice Mayor Pete Cabrera	_____
Councilwoman Christi Fraga	_____
Councilwoman Claudia Mariaca	_____
Councilwoman Ana Maria Rodriguez	_____

PASSED AND ADOPTED on FIRST READING this 20 day of June, 2017.

PASSED AND ADOPTED on SECOND READING this ____ day of _____, 2017.

JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

CONNIE DIAZ, CMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY