

ARTICLE II. SIGNS

Sec. 25-19. Purpose and intent.

(a) The purpose of this article is to create the framework for a comprehensive but balanced system of sign control, thereby facilitating clear and pleasant communications. It is the belief of the city commission that the nature of signs is to provide an index to the needed goods and services. It is the intention of this article to develop specific sign criteria which are:

- (1) Compatible with their surroundings;
- (2) Legible under the circumstances in which they are seen;
- (3) Expressive of the identity of individual businesses or organizations or the community as a whole;
- (4) To promote the aesthetics, safety, health, morals, property values, general welfare and the assurance of protection of adequate lighting, energy and air space within the city by regulation of the posting, displaying, erection, use and maintenance of signs;
- (5) For the sole purpose of identifying businesses and not to permit advertising along trafficways.

(b) *Applicability.* All signs shall be erected, placed, established, painted, created, or maintained in the city only in conformance with the standards, procedures, exemptions, and other requirements of this article. This article is not intended to regulate any sign which is not visible from another property or from public access areas. Signs posted by the city, including but not limited to traffic signs and legal notices, shall not be subject to this article. No sign shall be permitted except in accordance with the provisions of this article.

(Ord. No. 12-1-1, § 3, 1-10-12)

(c) *Substitution clause.* It is not the intent of this article to afford greater protection to commercial speech than to noncommercial speech. Any sign, display or device allowed under this article may contain, in lieu of any other copy, any otherwise lawful noncommercial message that complies with all other requirements of this article. The noncommercial message may occupy the entire sign area or any portion thereof, and may substitute for or be combined with the commercial message. The sign message may be changed from commercial to noncommercial, or from one noncommercial message to another, as frequently as desired by the sign's owner, provided that the sign is not prohibited and the sign continues to comply with all requirements of this article, including but not limited to the requirements for permit review for installation or alteration of signs pursuant to Section [25-27](#), and all construction requirements as provided in Section [25-28](#).

(Ord. No. 12-1-1, § 3, 1-10-12)

(d) *Severability.*

(1) The sections, paragraphs, sentences, clauses and phrases of this article are severable, and if any phrase, clause, sentence, paragraph or section of this article shall be declared unconstitutional or void or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such as unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this article.

(2) This subsection shall not be interpreted to limit the effect of subsection (1) above, or any other applicable severability provision in this code or any adopting ordinance. The city commission specifically intends that severability shall be applied to 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.

(3) This subsection shall not be interpreted to limit the effect of subsections (1) or (2) above, or any other applicable severability provision in this code or any adopting ordinance. The city commission specifically intends that severability shall be applied to prohibited signs so that each of the prohibited sign types listed in Section [25-22](#) shall continue to be prohibited irrespective of whether another or any sign prohibition is declared unconstitutional or invalid.

(4) This subsection shall not be interpreted to limit the effect of subsections (1), (2) or (3) above, or any other applicable severability provision in this code or any adopting ordinance. The city commission specifically intends that severability shall be applied to Section [25-22](#) of the sign regulations so that if all or any of such provisions are declared unconstitutional or invalid by the final and valid judgment of any court of competent jurisdiction, the city commission intends that such declaration shall not effect any other prohibition on animated or billboard signs in the aforesaid section.

(Ord. No. 12-1-1, § 3, 1-10-12)

Sec. 25-20. Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them below:

Advertising: Any form of public announcement intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, activity or entertainment.

Advertising bench: A bench, such as a park or bus bench, for the use of the public and bearing a commercial message.

Advertising sign, handheld or worn: A sign that specifies, either directly or indirectly, a good or service either sold or offered for commercial gain, and which is worn or carried by a person for advertising purposes.

(Ord. No. 12-1-1, § 3, 1-10-12)

Advertising signs, general: A posted advertisement which does apply to the premises wherein such sign is located.

Animated sign: A sign which utilizes motion of any part by any means, or displays flashing, oscillating or intermittent lights.

Announcing sign: A temporary sign announcing a project to be under construction or an intended use of the premises in the immediate future, which provides the project name, developer name, owner or agent, contact information and other relevant information pertaining to the project.

(Ord. No. 12-1-1, § 3, 1-10-12)

Attention attracting devices: Balloons, flags (except as permitted by Section [25-21](#)), pennants, streamers, spinners, tinsel, signs or other similar devices.

(Ord. No. 12-1-1, § 3, 1-10-12)

Banner: A sign having the characters, letters, or illustrations applied to cloth, paper or fabric of any kind with only such material for backing.

Banner flag: A banner this is attached to and displayed upon an upright pole or staff.
(Ord. No. 18-10-1, § 2, 10-9-18)

Billboard: A structure utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than the property on which the sign is located.

Box or cabinet sign: Any sign, the face of which is enclosed, bordered or contained within a boxlike structure, frame or other device.

Building directory sign: A sign indicating the location of an activity or service, incidental to the use, but not advertising that use in any manner.

Bus bench advertising sign: See "Advertising bench."

Canopy sign means a sign attached to or hung from a canopy or covered structure projecting from and supported by a building when the canopy or covered structure extends beyond the building line.

Community service sign: A sign which advertises solely a function of a nonprofit organization or corporation.

Directional or information sign: A noncommercial sign located on and relating to an activity on the premises upon which the sign is located, e.g., "exit," "entrance," "caution," "no trespassing," etc.

(Ord. No. 12-1-1, § 3, 1-10-12)

Display: An arrangement of goods reflecting the occupation or business, wares, or other objects used for the purpose of bringing the subject thereof to the attention of others without the use of characters, ornamentation, letters, symbols, logos or pictures to convey a message to others.

Election sign: A temporary sign displayed for the purpose of expressing support for or opposition to a candidate seeking elected office, or pertaining to any issue upon which voters shall vote, in a scheduled public election.

(Ord. No. 12-1-1, § 3, 1-10-12)

Facade: The entire building front, including main street wall face, including any parapet but not including glass or open areas.

Flag: A piece of cloth often attached to a staff with distinctive colors, patterns or symbolic devices.

Free expression sign: A noncommercial sign communicating information or views of concern to the owner of the sign, or containing any other noncommercial message that is otherwise lawful.

(Ord. No. 12-1-1, § 3, 1-10-12)

Garage sale sign: Any sign used for the sale of new or used merchandise, owned by the person conducting the sale or his immediate family, and sold at his place of residence.

Ground box sign: A self-supported structure not attached or affixed in any way to a building or any other structure.

Illegal sign: Any sign erected in violation of any ordinance in effect after June 6, 1978.

Illuminated sign: Any sign having characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes designed for that purpose, whether or not said lights or tubes are physically attached to the sign. This definition does not include electric lighting when used within a window casement without any signs, as that term is defined herein.

(Ord. No. 96-10-1, §1, 10/8/96).

Internal illumination: A light source concealed or contained within the sign which becomes visible by shining through a translucent surface.

Item of information: A syllable, symbol, abbreviation, broken plane or discontinued odd shape located in any one sign.

Logo: A symbol used to signify an organization, corporation, business, service or product.

Logotype: The name of a corporation or business, or the like, spelled out in a distinctive, proprietary style of lettering or type. To be approved, this style must be registered with the Trademark Division of the U.S. Patent Office, or approval must be pending. If in a shopping center, height and color of letters must be the same as the center's standard design criteria.

Major retail use: A use or tenant that occupies in excess of forty thousand (40,000) square feet interior floor area.

(Ord. No. 96-6-2, §1, 6/28/96)

Model sign: A sign which designates a particular dwelling unit design which is not for sale, but rather represents other units of a similar design that are for sale and may specify the model or complex name; builder, architect, agent; number of bedrooms and baths; telephone number; prices.

(Ord. No. 12-1-1, § 3, 1-10-12)

Municipal sign: A sign erected by the city which may:

- (1) Advertise upcoming recreational, sporting and civic events;
- (2) Notify the public of projects pending before the city, such as variances, rezonings, application for land development permit, etc.; and
- (3) Public identification signs.

Nameplate sign: A sign indicating the name and/or profession or address of a person or persons residing on the premises or legally occupying the premises.

Nonconforming sign: A sign, or advertising structure, which was legally established but which by its height, type, content, square foot area, location, use or structural support does not conform to the requirements of this article.

Off-premises project directional sign: A sign not within the boundaries of the real estate project that contains directional information enabling potential purchasers to locate the project within the city.

Parapet: A wall extension above the roof line of a building.

Permanent sign: Any sign which, when installed, is intended for permanent use. For the purpose of this article any sign with an intended use in excess of twelve (12) months from the date of installation shall be deemed a permanent sign.

Pole sign: A sign erected upon a pole or poles which are visible and which sign is wholly independent of any building or other structure for support.

Primary frontage: That frontage designated by the owner/occupant to be the primary use when the business faces on two (2) streets of at least secondary arterial designation.

Project sign: A sign that identifies the construction of a building, building complex or real estate development of any kind, and specifies information which may include the name of project; nature of the development; general contractor; architect; lending institution; owner or agent; and contact information.

(Ord. No. 12-1-1, § 3, 1-10-12)

Projecting sign: A sign attached to and supported by a building or other structure and which extends at any angle therefrom.

Real estate sign: A sign erected by a property owner, or the owner's agent, indicating property that is for rent, sale or lease and related information including zoning, size of property, name of the owner, broker or agent, telephone number, designs or trademarks, etc.

(Ord. No. 12-1-1, § 3, 1-10-12)

Real estate accessory sign: A sign attached to a real estate sign, as defined herein, announcing additional information (i.e., open, by appointment only, sold, etc.).

(Ord. No. 12-1-1, § 3, 1-10-12)

Roof sign: A sign erected over or on the roof, extending above the roof line, which is dependent upon the roof, parapet or upper walls of any building for support.

School sponsor signs. A sign for a business or community group which has provided assistance or financial support for academic/sports/enrichment programs at an elementary or secondary school. (Ord. No. 15-6-1, § 2, 6/16/15)

Shopping center: A group of retail stores, service establishments or any other businesses planned to serve the community or neighborhood, not necessarily owned by one party or a single landowner, that are adjacent to and utilizing a common parking area or areas.

Sidewalk or sandwich sign: A movable sign not secured or attached to the ground.

Sign: A device or representation for visual communication other than a display that is used for the purpose of bringing the subject thereof to the attention of others. Signs include, but are not limited to, figures, letters, logos, devices, flags, pennants, emblems, pictures, statuary, sculptures or other objects which are used for identification.

(Ord. No. 12-1-1, § 3, 1-10-12)

Sign area: The square foot area enclosed by the perimeter of the aggregate sign face; when a sign composed of letters only is designated to be compatible with a particular architectural style, the sign area is the sum of the area of the smallest contiguous rectangles or circles capable of containing one (1) letter. In all other cases, the area is enclosed by the perimeter line enclosing all letters.

Sign face: The part of the sign that is or can be used for communication purposes visible from one direction.

Snipe sign: A sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes or fences, or to other objects, with the message appearing thereon not applicable to the present use of the premises or structures upon which the sign is located.

Subdivision sign: A sign designating a subdivision, plat or other division, of real property.

Symbol: A graphic device used to signify a use or activity rather than an organization or corporation.

Temporary sign: Any sign intended for use not permanent in nature. For the purpose of this article, any sign with an intended use of twelve (12) months or less shall be deemed a temporary sign.

Trailer sign: A portable sign placed in or attached to a trailer.

Under canopy sign: A sign permanently affixed to the underside of a shopping center canopy.

Vehicle removable sign: A sign temporarily affixed to a transportation vehicle, inside or outside, for the purpose of advertising.

Vehicle sign: A sign painted or affixed to a transportation vehicle, including automobiles, trucks, boats, trailers and campers, for the purpose of identification which shall include, but is not limited to magnetic signs, vehicle "wraps," decals, signs painted upon or otherwise affixed or physically attached to a vehicle or trailer.

(Ord. No. 12-1-1, § 3, 1-10-12)

Wall sign: A sign that is approximately parallel to and supported by any wall or other enclosures.

Window sign: A sign located on a window or within a building or other enclosed structure, within four (4) feet of the window casement, which is visible from the exterior through a window or other opening; provided, however, that this definition shall not include chandeliers or similar lighting fixtures within the business establishment.

(Ord. No. 96-10-1, § 1, 10/8/96)

Sec. 25-21. Exempt signs.

(a) *Vehicle signs.* All vehicle signs shall be exempt from all provisions of this article when such signs are attached or affixed to a vehicle which is usually on the road during the normal course of business. Vehicle signs shall not be utilized at a specific location or site in addition to or in lieu of a permanent or temporary sign as permitted under this article.

(Ord. No. 12-1-1, § 3, 1-10-12)

(b) *Instructional signs.* Signs which provide instructions and are located entirely on the property to which they pertain and do not in any way advertise a business and do not exceed two (2) square feet in area, including signs identifying restrooms, public telephones, walkways and those of similar nature, shall be exempt from the provisions of this article.

(c) *Flags.* The flags, emblems or insignia of any noncommercial entity shall be exempt from the provisions of this article; however, in order to prevent commercialization and exploitation of such flags, no more than one (1) of each such noncommercial flag may be displayed at one time on days other than a federal holiday. Flag poles upon which flags are displayed shall not exceed the maximum building height permissible in the zoning district in which the flag pole is located.

(Ord. No. 12-1-1, § 3, 1-10-12)

(d) *School sponsor signs.* School sponsor signs, shall be exempt from the permitting requirements of this article, provided they meet the requirements of this article and are installed as part of and consistent with a School Sponsorship Sign Plan approved by the city pursuant to this article. (Ord. No. 15-6-1, § 2, 6/16/15)

Sec. 25-22. Prohibited signs.

The following are those signs which shall not be permitted within the municipal limits of the city:

- (a) Animated signs;
- (b) Snipe signs;
- (c) Attention attracting devices;
- (d) All signs that contain exposed lighting of any type or have the appearance of light fixtures which do not comply with regulations for window signs as set forth in Sec. [25-26](#);
- (e) Roof signs;
- (f) Billboards;
- (g) Advertising bench; signs affixed to people shelters or bus shelters;
- (h) Signs projecting in excess of eighteen (18) inches from the foremost point of attachment of the sign to the structure upon which it is constructed;
- (i) Signs located on sides of buildings unless the structure is located on a corner lot or unless the structure is located in excess of one hundred (100) feet from the side lot line;
- (j) Painted wall signs not conforming to section [25-28](#), construction, maintenance and location;
- (k) All abandoned signs, sign cabinets, poles, frames, structures and electrical fixtures;
- (l) Pole signs;
- (m) Projecting signs;
- (n) Tenant identification signs, except in the interior of shopping centers;
- (o) Advertising signs, handheld or worn;
- (p) Any sign which is not allowed as a permitted sign by this article or is not in compliance with all regulations set forth in this article.

(Ord. No. 96-10-1, § 2, 10/8/96; Ord. No. 01-4-4, § 1, 4-24-01; Ord. No. 12-1-1, § 3, 1-10-12; Ord. No. 19-7-3, § 2, 8-20-19)

Sec. 25-23. Permanent signs.

Only such permanent signs as are listed in this section shall be permitted to be erected or maintained upon any building lot, plot or parcel of land, for the following types of land uses;

- (a) *Residential land uses.* Residential land uses shall be limited to the following types of permanent signs.

(1) One (1) nameplate sign which shall be permitted not exceed one and one-half (1½) square feet of total area.

(2) All dwelling units shall display the street number assigned thereto by the United States Postal Service so that such number will be readily visible from the street in order that emergency vehicles can readily identify the street address. Said numbers shall be at least four (4) inches in height and no greater than ten (10) inches in height.

(3) In those instances where the dwelling units have United States Postal Service approved rural type mailboxes located at or near the fronting roadways to the dwelling units, the display of street numbers at least two (2) inches in height on both sides of the mailboxes or on their posts facing the roadway will be permitted as an option to displaying the street numbers on the dwelling unit structures.

(4) Multi-family or townhouse developments containing three (3) or more dwelling units shall be permitted ground or wall signs indicating the name of the complex not to exceed the size limitations as delineated in subsection (b), nonresidential land uses, below.

(b) *Nonresidential land uses:* Nonresidential land uses shall be limited to the following types of permanent signs.

(1) *Wall or canopy sign.* One (1) wall or canopy identification sign shall be permitted for each inline licensed establishment, not to exceed the following size limitations:

a. *Maximum height of letters:* No wall sign shall have either letters, cabinets or border exceeding eighteen (18) inches in height, provided, however that the height of such letters/cabinets may be increased in height one inch for each twenty-four (24) feet for major portion thereof of setback distance between the front building line and the street property line.

b. *Maximum length of sign:* The length of a wall or canopy sign shall be in proportion to the length of the primary building facade or the portion thereof occupied by the licensed establishment in accordance with the following:

<i>Length of Primary Building/Bay Facade</i>	<i>Maximum Length of Wall or Canopy Sign</i>
0 to 25 feet	10 feet
26 to 40 feet	12 feet
41 to 55 feet	14 feet
56 to 70 feet	16 feet
71 to 85 feet	18 feet
86 feet and above	20 feet

c. *Maximum sign area:* No wall or canopy sign shall have an area exceeding one (1) square foot for each linear foot of building/bay facade occupied by the licensed establishment.

d. *Corner businesses:* For businesses in a corner bay of a shopping center having a secondary wall with street frontage, the business may also be permitted to erect an additional wall sign facing the secondary frontage at two-thirds (2/3) the size of the primary wall or canopy sign as delineated in section (b)(1)a., b., and c. above, nonresidential wall or canopy signs. (Ord. No. 19-5-2, § 2, - -19)

(2) *Nameplate or identification sign.* One (1) is required at the front and the rear entrances of all the bays/buildings both existing and those constructed subsequent to the effective date of this section, with letters not in excess of three (3) inches in height and the sign area not in excess of three (3) square feet and which must state the name and address of the licensed establishment. Existing structures shall have ninety (90) days subsequent to the effective date of this section to comply with this provision. The front door shall bear the address in three (3) inch characters.

(3) *Hours-of-business sign.* One (1) hours-of-business sign shall be permitted on a door or adjacent window with letters not in excess of two (2) inches in height and total area not in excess of two (2) square feet.

(4) *Movie theaters* Movie theaters shall be permitted an additional sign to those listed in subsections (b)(1) and (b)(2) to display changeable copy not to exceed fifty (50) square feet in sign area. Multiple theaters shall be permitted additional sign area, not to exceed twenty-five (25) square feet per additional screen.

(5) *Shopping center ground signs.* One (1) ground box sign or ground sign shall be permitted in a shopping center indicating the name of the center, not to exceed the size limitations as delineated herein below. A second ground box sign or ground sign will be permitted indicating the name of the center if said center fronts on two (2) main thoroughfares of at least secondary arterial designation (eighty (80) foot right-of-way). No shopping center ground sign shall contain more than one (1) logo or exceed the size delineated below:

Width of Right-of-Way (feet)	Max. Height of Letters/Symbols (inches)	Max. Sign (square feet)
0 - 50	10	18
51 - 80	14	26
81 - 100	16	32
101 - 120	20	42
121 and above	23	48

(6) *Under-canopy signs.* Individual business under-canopy signs may be permanently installed in shopping centers perpendicular to the storefront and equidistant between the storefront and the canopy edge, centered in the store frontage. Under-canopy signs shall be no longer than fifty (50) percent of the width of the canopy up to a maximum of four (4) feet in width. The height of the sign shall be no more than thirty (30) inches, inclusive of suspension devices. The copy displayed is to be used only to indicate to the public the legal or exact firm name or the main character of the business carried on therein or thereon. Internal illumination is permitted. A minimum of eight (8) foot clearance from bottom of signs to walkway shall be required. The colors proposed may not have to comply with the approved shopping center sign package at the recommendation of the community appearance board and upon approval of the city commission. Under-canopy signs shall be suspended by rigid mount so as to prohibit any movement of the sign.

(7) *Trademark.* When a trademark is incorporated within a sign, the trademark shall not comprise more than twenty (20) percent of the total sign area, provided that the product or services illustrated by the trademark do not constitute the principal business of the establishment. Trademark colors shall match approved sign package colors.

(8) *Shopping center sign plan.*

a. *Shopping center sign plan required.* A uniform sign plan must be presented to and reviewed by the development review committee and the planning and zoning board for all shopping centers at the next regular meeting after the application is submitted in an acceptable form in accordance with this article. The development review committee and the planning and zoning board shall review the application and make a recommendation to the city commission either at the first meeting or at the next regular meeting. The review and recommendation of the planning and zoning board shall relate only to compliance with the following criteria:

1. All signs shall conform to this article.
2. All sign plans shall be coordinated through and approved by the shopping center owner.
3. A uniform sign plan shall be presented for the whole shopping center that shall be compatible with the architectural design of the entire center and enhance the aesthetics of the center.
4. Signs shall be approved by the city commission as a unit.
5. Box or cabinet signs shall be allowed when presented as part of a unit plan for a shopping center.
6. All signs shall conform to color criteria as approved by the city commission.
7. Colors shall be limited to no more than four (4).

(Ord. No. 18-5-2, § 2, 6-19-18)

b. *Amendments to approved shopping center sign plans.* Applications for amendments to approved shopping center sign plans, which do not involve any sign waiver requests, except those granted administratively pursuant to section [25-29\(b\)](#), and otherwise meet city code requirements, shall be subject to administrative review and approval by the city's growth management department which may grant or deny the amendment and may impose such conditions as deemed necessary. Applicants whose petitions are denied by the growth management department may appeal that decision to the city commission by filing a written request to the city commission within thirty (30) days of such denial.

(9) *Freestanding buildings.*

a. *Shopping center outparcels.* Freestanding structures within shopping centers (out-parcels) shall be permitted one (1) primary wall sign in accordance with the provisions of this section, and one (1) secondary wall sign, which shall not exceed the size of the primary sign. If the owner chooses not to install a primary and secondary sign, the owner shall be permitted to erect wall signs on not more than four (4) sides of the building, but only in the secondary size of two-thirds (2/3) the size of the primary wall sign.

b. *Not in shopping centers.* Freestanding buildings which are not a part of a shopping center shall be permitted a ground box or ground sign on a lot with a minimum of one hundred (100) feet of primary frontage. In addition to a ground sign or ground box sign, one of the following may be selected:

1. Option No. 1: the business may also be permitted to erect a wall or canopy sign facing the primary frontage one-half (1/2) the size as delineated in subsection (b)(5), shopping center ground signs.

2. Option No. 2: if the owner chooses not to use a ground sign, he shall be permitted to erect a wall or marquee sign facing the primary frontage as delineated in subsection (b)(5), shopping center ground signs. The owner shall also be permitted signs on two (2) side walls, if not facing a residential neighborhood, one-third (1/3) the size as delineated in subsection (b)(5), shopping center ground signs.

(Ord. No. 18-5-3, § 2, 6-19-18; Ord. No. 19-4-1, § 2, - -19)

(10) *Commercial directory signs.* Commercial directory signs may be permanently installed in shopping centers provided they are installed within the setback envelope included for each zoning district and included in the uniform sign criteria approved by the city commission.

(11) *Major retail uses.*

a. Shall be permitted one primary wall sign on the front of the building, with lettering not to exceed forty-two (42) inches in overall height and overall length not to exceed twenty-seven (27) feet.

b. Shall be permitted up to two (2) additional secondary signs to display types of products sold, types of services available or secondary tenants to the major retail use. The secondary sign(s) shall not exceed twenty-eight (28) inches in overall height and

eighteen (18) feet in overall length. (Ord. No. 96-6-2, §2, 6/28/96; Ord. No. 01-4-4, § 1, 4-24-01; Ord. No. 16-6-1, § 2, 6-21-16)

(c) *Project and information signs:*

(1) *Permanent subdivision signs or project signs* shall conform to city sign criteria and shall not exceed thirty-two (32) square feet in area nor six (6) feet above the crown of any abutting road or street and shall include landscaping.

(2) *Noncommercial directional or information signs* shall not exceed one and one-half (1 1/2) square feet in area and shall conform to the city's sign criteria.

(d) *Municipal signs.* The construction and design of municipal signs shall be in accordance with city design criteria and specifications for signs, provided that this requirement shall not apply to any traffic-control sign, the design of which is prescribed by state law.

(e) *Service station signs:*

(1) *Applicability.* To the extent that this subsection conflicts with standards set forth within county ordinance No. 80-71, as amended, relative to gasoline pricing signs, the provisions of this subsection shall apply.

(2) *Gasoline pricing signs:* Every person, firm or corporation owning and/or operating a service station shall clearly and conspicuously post the prices of all gasoline and/or petroleum products available for sale, in accordance with one of the following standards:

a. Pricing signs shall be architecturally/graphically integrated into each face of a ground box sign, as permitted by subsection (c)(9)b. Pricing sign colors shall be limited to two (2) which shall match the ground box sign colors, and where applicable, shopping center sign package colors. Pricing signs shall include one price per type of gasoline product dispensed, with each displayed in equal size and prominence in not less than eight (8) inches high nor more than sixteen (16) inch high characters, with tenths proportionately sized; with type of service and method of payment in characters not to exceed twenty-five (25) percent of the height of the pricing characters; pricing sign shall be illuminated in the same manner as the ground box sign.

b. Pricing signs shall be architecturally/graphically integrated into each face of permitted primary/secondary wall sign. Pricing sign colors shall be limited to two (2), which shall match the wall sign colors, and where applicable, shopping center sign package colors. Pricing sign shall include one price per type of gasoline product dispensed with each displayed in equal size and prominence in not less than eight (8) inches high nor more than sixteen (16) inch high characters, with tenths proportionately sized; with type of service and method of payment in characters not to exceed twenty-five (25) percent of the height of the pricing characters; pricing signs shall be illuminated in the same manner as the wall sign.

(3) *Type of service sign.* Every person, firm or corporation owning and/or operating a service station, shall clearly and conspicuously post a type of service sign in accordance with the following standards:

a. A maximum of one double-faced or two (2) single faced signs shall be posted per pump island, not to exceed one and one-half (1½) square feet per sign face.

b. Such signs are to be located at the pump island and shall designate whether pumps are full-service or self-service.

c. Colors shall be limited to two (2), which must match the primary sign colors.

(4) *Other signs.* No other signs shall be displayed at service stations, except as permitted in this section, or as required by federal or state law.

(5) *Nonconforming uses.* All service stations existing prior to the effective date of this section shall have ninety (90) days in which to comply with the provisions of this section or such facility shall be subject to the penalty as provided for in section [21-7](#), enforcement and penalties.

Sec. 25-24. Temporary signs.

Only such temporary signs as are prescribed in this section, which conform to the provisions of this article, shall be permitted to be erected or maintained upon any lot, plot or parcel of land or leasable space. No signs so permitted, however, shall exceed six (6) feet in height above the crown of any abutting road. No wall or window sign shall be permitted higher than the first story. No sign shall be permitted in the public right-of-way except as authorized by this article.

(Ord. No. 12-1-1, § 3, 1-10-12)

(a) *Real estate signs:* Real estate signs shall be permitted without a permit.

(1) One (1) freestanding sign shall be allowed to be placed along each street property line. Golf course lots and waterfront lots are allowed one (1) additional sign in the rear yard.

(2) Real estate signs shall not exceed four (4) square feet in area and shall not be located closer than six (6) feet from a property line.

(3) A maximum of three (3) real estate accessory signs may be attached to the real estate sign for temporary use during relevant times only. A real estate accessory "open house" sign may be hung only when the premises are actually available for inspection by the prospective buyer or tenant. In addition, a sold sign may be attached to the sign for a period of seven (7) days subsequent to the date of closing. The maximum permitted size of such real estate accessory signs is eight (8) inches by twenty-four (24) inches.

(4) Notwithstanding the above, real estate signs on undeveloped commercial, business, agricultural and industrial land shall not exceed thirty-two (32) square feet.

(5) Real estate signs and real estate accessory signs shall be removed when no longer relevant, but no later than seven (7) days following the closing of the sale of, or leasing of, the subject property.

(6) Temporary open house signs which shall be permitted in addition to the real estate signs and real estate accessory signs otherwise allowed by this subsection, subject to compliance with the following requirements:

a. One (1) free-standing temporary open house sign may be located upon the premises of the property for sale or lease. A maximum of four (4) open house signs may be located off the site of the subject property, to serve to direct persons to the subject property.

b. Temporary open house signs shall not exceed four (4) square feet per sign.

c. Temporary open house signs may be located:

i. Within the swale area of the right-of-way, provided that the signs shall not obstruct any line of sight for safe vehicular, bicycle or pedestrian traffic, and shall not be located in any roadway median.

ii. On private property with the property owner's permission. (Ord. No. 12-1-1, § 3, 1-10-12)

d. No more than one (1) temporary open house sign per real estate agent or homeowner shall be placed in a permitted display area. Temporary open house signs shall only be staked to or pressed into the ground and shall not be attached to existing signs, trees, poles or other structures.

e. Temporary open house signs shall be made of corrugated plastic, wood, aluminum or steel, and support posts shall be made of aluminum or steel only.

f. Temporary open house signs shall be displayed in a clean, well maintained condition, free of deterioration and discoloration.

g. Temporary open house signs may be displayed Saturday and Sunday, and shall be posted or placed no earlier than 10 am and removed by 6 pm each day.

h. The sign may include the words "open house" and address of the open house location. The real estate agent or property owner's name and phone number shall be provided. (Ord. No. 12-1-1, § 3, 1-10-12)

(b) *Announcing signs.* Announcing signs are permitted in all zoning districts except R-1-A, R-1-B, R-1-C, R-1-D and R-2.

(1) One (1) freestanding sign is allowed per project.

(2) The sign area is not to exceed thirty-two (32) square feet.

(3) The sign copy may include only:

a. Project name;

b. Name of development;

c. Owner or agent;

d. Telephone number.

(4) The sign may be posted for no more than sixty (60) consecutive days at the end of which time the sign shall be removed. The announcing sign shall be removed prior to the placement of a project sign. (Ord. No. 12-1-1, § 3, 1-10-12)

(c) *Project signs.* Project signs are permitted in all zoning districts, subject to the following standards.

(1) One (1) freestanding project sign is allowed per project per main entrance.

(2) The sign area of a project sign shall not exceed thirty-two (32) square feet in all zoning districts (i.e., four (4) feet by eight (8) feet).

(3) The sign copy may include only:

- a. Name of project;
- b. Nature of development;
- c. General contractor;
- d. Architect;
- e. Lending institution;
- f. Owner or agent;
- g. Telephone number.

(4) Project signs shall be permitted to be posted from date of building permit up to thirty (30) days after the date of certification of occupancy is issued on eighty (80) percent of the construction contemplated on the approved site plan or plat.

(d) *Directional or information signs.* Directional or information signs shall not exceed two (2) square feet in area and shall not be placed off the premises or in the public right-of-way. The number and location of directional or information signs shall be in accordance with an approved shopping center sign plan or site plan.

(e) *Temporary subdivision signs.* Temporary subdivision signs shall not exceed thirty-two square feet in area nor extend six (6) feet above the crown of any abutting road or street.

(f) *Model signs.* Model signs are permitted in all residential zoning districts, subject to the following standards.

(1) No more than one (1) freestanding sign shall be allowed per model.

(2) The sign area of a model sign shall not exceed three (3) square feet.

(3) The sign copy may include only:

(Ord. No. 12-1-1, § 3, 1-10-12)

- a. Model or complex name;
- b. Builder, architect, agent;

- c. Number of bedrooms and baths;
- d. Telephone number;
- e. Prices.

(4) One (1) flag per model is permitted.

(5) Model signs shall be renewable on a yearly basis by the city commission.

(g) *Election signs.*

(1) Within any zoning district in which residential use is permitted, an election sign shall be limited to a maximum of four (4) square feet in area. Within any other zoning district, the sign area of an election sign shall not exceed thirty-two (32) square feet (i.e., four (4) feet by eight (8) feet).

(2) Temporary election signs shall be limited on private property to one (1) sign per candidate or issue and shall not be erected prior to 90 days before any election, or prior to the date of qualification for the election, whichever is a shorter period of display.

(3) All election signs of candidates defeated in primary elections must be removed within seven (7) days after the date of such primary election, and all election signs of candidates running in a general election, or relating to an issue on a general election ballot, must be removed within seven (7) days after the date of such general election. (Ord. No. 12-1-1, § 3, 1-10-12)

(h) *Banner signs/banner flags.* Business establishments desiring to display banner signs and/or banner flags for a grand opening must obtain a permit and pay the applicable fee. The permit will allow the display of these banners and/or banner flags for a period of no more than twenty-eight (28) consecutive days. Banners may be attached to buildings or secured to poles designed for the banner and shall not be placed in a public right-of-way. For the purposes of this section, the term "grand opening" means the first opening of a business establishment to the public after the issuance by the City of the initial Local Business Tax Receipt for the business at that location.

One banner flag may also be permitted for a grand opening along each street frontage of the shopping center, outparcel, or freestanding business. Said banner flag may be located at one entrance along each street frontage. Banner flags shall be limited to 10 feet in height and shall be setback at least ten feet from property lines or adjacent rights-of-way and shall not otherwise obstruct clear lines of sight in the adjacent sight distance triangles.

For the purposes of this section, the term "grand opening" means the first opening of a business establishment to the public after the issuance by the City of the initial Local Business Tax Receipt for the business at that location. (Ord. No. 18-10-1, § 3, 10-9-18; Ord. No. 18-10-2, § 2, 10-9-18)

(i) *Garage sale signs.* Up to four (4) garage sale signs shall be permitted and shall be placed on private property only. No such sale shall be conducted without first obtaining a permit from the city and paying a permit fee of five dollars (\$5.00), which includes the fee for placing the signs on the property. Each sign shall legibly indicate the

street address of the garage sale upon the front or back of the sign. (Ord. No. 01-4-4, § 1, 4-24-01; Ord. 15-4-1, § 3, 4-28-15)

(j) *Community service signs.*

(1) Community service signs located within nonresidential zoning districts shall not exceed sixteen (16) square feet in area with a maximum height of four (4) feet. Community service signs located within residential zoning districts shall not exceed eight (8) square feet in area with a maximum height of four (4) feet.

(2) Community service signs shall not be posted for a period of more than thirty (30) days prior to the event or activity to which they relate, and shall be removed within seven (7) days after the conclusion of such event or activity.

(k) *Free expression sign.* In addition to other signs allowed by this Code, for each residential parcel within the city, one free expression sign not exceeding four (4) square feet in area may be displayed on each frontage per parcel. The free expression sign may be displayed as an attached wall sign, window sign, or as a freestanding sign.

(l) *School sponsor signs.* When visible from a public-right-of-way, school sponsor signs providing only the sponsor and the program sponsored may be installed, at elementary and secondary schools, subject to each of the following standards.

(1) *Size.* The signs shall be four feet by four feet (4x4).

(2) *Color.* The front of the signs and all lettering shall be in the school colors, or if necessary to provide legibility, a uniform alternate palette not to exceed three colors. Copyrighted trademarks and/or corporate logos are not subject to the color limitations provided herein and may be permitted in their standard color(s). The backs of signs shall be a uniform color.

(3) *Visibility.* The text and graphics of a sign shall not be visible from more than one public right-of-way.

(4) *Illumination.* Illumination of school sponsor signs is prohibited.

(5) *Location.* The signs may only be located along fences or walls of eight (8) feet in height or less, adjacent to or enclosing athletic fields, playgrounds, parking lots, or similar areas. Only one row of signs is permitted on any given fence or wall and all signs shall be posted at the same height, centered vertically on the fence or wall. Schools may utilize only one street frontage for the School Sponsorship Sign Program. If a school has multiple street frontages, the highest street classification level, as determined by the Growth Management Department, shall be designated for the school sponsorship signs. There shall be at least 2 feet horizontally, edge to edge, between signs to ensure visibility and safety.

(6) *Installation and maintenance.* Signs shall be maintained in a neat and orderly manner. Dilapidated or deteriorated signs including signs that are faded, discolored, tattered or otherwise of unacceptable appearance, shall be removed by the school or at the request of the city. Signs shall be installed or fastened in a manner consistent with

standard practices and such installation or fastening shall be maintained in a manner consistent with standard practices.

(7) *Duration.* Signs may be placed for no longer than the duration of the academic school year, from August of a given calendar year, to May of the following calendar year.

(8) *School Sponsorship Sign Program.* Each school desiring to place school sponsor signs shall annually submit a School Sponsorship Sign Program together with the applicable, administrative review fee. The School Sponsorship Sign Program shall be reviewed and approved by the Growth Management Department based on consistency with this section. Approval of a School Sponsorship Sign Program shall be valid for the school year in which it is approved. The School Sponsorship Sign Program submitted to the city shall consist of the items listed below.

a. *Name.* School name and address.

b. *Contact information.* Name and telephone number of the school principal and the person at the school responsible for implementation of the school's Sponsorship Sign Program.

c. *Program guidelines.* Guidelines and requirements addressing the standards of this section including:

i. *Size.* The standard size requirements for each sign. All signs shall be required to be the same size and shape, not exceeding the maximum size limitations of this article.

ii. *Colors.* Proposed colors for sponsor signs, including the color proposed for the back of signs and color or colors proposed for the text and logos located on the front of signs.

iii. *Location.* Proposed location for installation of signs. It is the intent of this section to have the location of sponsor signs consolidated into a single area or areas commonly utilized for sponsor signs.

iv. *Installation.* Detailed description of the installation and fastening mechanisms, tools and requirements.

v. *Schedule.* Date of installation of the signs, which to the extent possible should be installed at the same time, and date of removal of the signs. All signs shall be removed at the same time no later than the last day in May.

(9) *Exceptions.* The requirements of this section shall not apply to the types of signs listed below.

a. *Interior signs.* Signs located within school buildings, within courtyards or similar areas visible only from within a school or school campus, or in similar locations.

b. *Stadiums and athletic fields.* Signs, no part of which are visible from a public right-of-way or adjacent residence, installed along the bottom of outfield fences or walls in a stadium or along bleachers associated with an athletic field.

- c. *School name.* Signs and lettering containing only the school name and logo.
- d. *Traffic control and information.* Signs associated with traffic control, directional signs or similar informational signs.
- e. *Other permitted signage.* Signs otherwise permitted or allowed under other provisions of this Code.

(10) *Exemption.*

a. Signs posted in compliance with a city-approved School Sponsorship Sign Program shall be exempt from the bonding requirements of section [25-24\(m\)\(1\)a](#).

b. If the Growth Management Department determines that the proposed School Sponsorship Sign Program submitted for review is identical to the prior city-approved School Sponsorship Sign Program, the administrative review fee shall be waived.

(m) *Sidewalk or Sandwich signs.* Placement of sidewalk or sandwich signs shall be consistent with the following guidelines:

(1) *Number of Signs.* One (1) sidewalk or sandwich sign may be located and maintained as described in this subsection.

(2) *Placement.* The A-frame or sidewalk sign must be placed on the walkway adjoining the front entry of the business which erects or maintains the sign and must be within six (6) feet of the front entry door.

(3) *Free Standing.* The sign must be free standing, in that it shall stand on its own base and not be attached to the building or floor in any fashion.

(4) *Size.* The sign may not exceed four (4) feet in height at the highest point as measured from grade and two (2) feet in width. The support base of the sign may not exceed six (6) square feet at the point where the sign rests upon the ground.

(5) *Time of Display.* The sign must pertain to the business and may be displayed only when the business, which has placed or maintained the sign, is open to the public and shall not be left outside while the business is not open to the public nor when there are high winds or other hazardous weather conditions.

(6) *Clearance for pedestrians.* The sign must be erected or maintained so that there is at least forty (40) inches of clearance adjacent to the sign on the walkway and meet any other requirement of the Americans with Disabilities Act (ADA).

(7) *Enforcement/Violations.* A-frame or sidewalk signs posted in violation of the required posting time and/ or conditions provided herein shall be subject to removal by City public safety or code compliance personnel. Any such sign deemed to be a safety hazard may be removed immediately by public safety or code compliance personnel.

(Ord. No. 19-7-3, § 2, 8-20-19)

(n) *Temporary signs; requirements.*

(1) *Registration and bond.*

a. The person or organization that shall erect a temporary sign within any nonresidential zoning district shall first file with the building department a written statement, guaranteeing the removal of the temporary sign(s) within seven (7) days after the required removal date for the signs, and shall post a cash bond in the amount of \$250.00. The written statement accompanying the bond shall contain language that authorizes the city to use all or part of the bond to cover the cost of removal of the signs, if the person or organization posting the signs does not remove the signs within seven (7) days after the required removal date for the signs. The written statement shall also contain the proposed location of the signs. Candidates for political office who have qualified by means of the petition method pursuant to Section 99.095, F.S. or Section 99.0955, F.S., seeking to post election signs, shall be exempt from this bond requirement.

b. For all temporary signs to be placed on vacant property, the person or organization erecting the signs shall file with the building department a written statement, signed by the owner or lessee, on a form provided by the building department, stating that the owner or lessee of the property has given permission for the temporary sign to be placed on their property.

(2) Location; limitation; removal.

a. No temporary sign of any type or size whatsoever shall be erected or maintained within any public right-of-way except as authorized by this article, or upon any property owned or leased by the City of Cooper City.

b. No temporary sign may be erected on any property in such a manner to preclude or limit the sight distance visibility of drivers of motor vehicles.

c. Any person or organization who constructs, erects or causes to be erected a temporary sign and/or the owner and/or lessee of the property where a temporary sign is located, shall be responsible for any hazard to the general public which is caused by, created by reason of the construction and/or maintenance of temporary signs.

(o) Temporary signs; violations.

(1) The erection and removal of all temporary signs shall be the joint responsibility of the owner of the property upon which such signs are placed and of the owner of such signs. Each such person shall be jointly and severally liable for a violation of the terms and conditions of this section.

(2) Any temporary sign not constructed or erected in accordance with the provisions of this section and any such sign which exists in violation of this section shall be deemed to be a public nuisance and shall be subject to removal by the city. Unless otherwise provided by resolution of the city commission, the cost of removal shall be twenty dollars (\$20.00) per sign.

(3) Any temporary signs which are in violation of this section shall be immediately removed by the city and the person or persons responsible for erecting said signs in violation of this section shall be subject to a fine of fifty dollars (\$50.00), in addition to the charge for removal of the sign(s) in accordance with subsection (b.).

(4) Any temporary signs not removed within seven (7) days from the date of required removal pursuant to this section, shall be removed by the city, and the costs of removal shall be billed to the person or persons responsible for the sign(s). Signs which are removed shall be held by the city for a period of fifteen (15) days following removal, and the person or persons responsible for erecting said signs shall be authorized to pick up the signs from the city during this time. Following this fifteen (15) day period, the City may dispose of such signs. The city shall bear no liability for damage to or return of such signs.

(5) A violation(s) of this section shall be prosecuted in accordance with [Chapter 13](#), [Article VI](#), of this Code or through any other supplemental municipal code or ordinance enforcement procedures available to the City under the Florida Statutes, this Code, or both.

(Ord. No. 12-1-1, § 3, 1-10-12; Ord. No. 15-6-1, § 2, 6-16-15; Ord. No. 19-7-3, § 2, 8-20-19)

Sec. 25-25. Nonconforming signs.

(a) All nonconforming signs or advertising structures shall be removed, or shall be altered so as to conform to the provisions of this article as per the schedule below which indicates the phase-out period from the date the sign became nonconforming.

<i>Type of Sign</i>	<i>Phase-out period</i>
<i>Type of Sign</i>	<i>Phase-out period</i>
(1) Painted wall signs	
a. Primary as defined by owner	1 year
b. Secondary as defined by owner	60 days
c. Illegal	30 days
(2) Trailer signs	30 days
(3) Animated signs	60 days
(4) Advertising benches	2 weeks or contract renewal date, whichever comes first
(5) Illegal signs	30 days
(6) Completed project billboard	60 days
(7) All other billboards	1 year

(8) All other nonconforming signs shall have a phase-out period of one (1) year, provided that, beginning June 6, 1978, any owner or agent of any such nonconforming sign or signs may register with the Building Department for an application for an

extension to the phase-out period to extend to a total of three (3) years from the date the sign became nonconforming. This extension shall be granted only once.

(b) Nonconforming signs shall not be refurbished, altered or changed in any way unless they are made to conform with all the requirements of a new sign or advertising display.

(c) If any nonconforming sign is damaged by any cause and the cost of repairing the sign equals fifty (50) percent or more of the original invoiced cost of the sign, then its classification as a nonconforming sign under this section shall be automatically revoked and repairs shall be made so that the sign shall meet all the requirements of this article.

Sec. 25-26. Window signs.

(a) Generally

(1) Window signs shall be allowed on nonresidential property in accordance with the requirements of this section. All window signs shall be limited to two (2) colors per location on a clear background, provided, however, that registered, copyrighted trademarks and/or corporate logos are not subject to the color limitations provided herein and may be permitted in their standard color(s). Additionally, standard "Credit Cards Accepted" signs, with images of the various credit cards shall not be limited to the color restrictions of this section.

(2) Window signs, whether permanent or temporary, shall not constitute in excess of twenty-five percent (25%) of the window area, provided, however, that no single permanent window sign shall exceed sixty (60) square feet in sign area and no single temporary window sign shall exceed thirty two (32) square feet in sign area.

(3) For the purposes of this section, the term "window area" shall mean the total area of glass on the front and/or side of a business, exclusive of glass doors.

(4) Window decorations for the holiday season (October 15 through January 5), attached to any window shall be exempt from the provisions of this section.

(5) Window signs shall be exempt from the annual inspection requirements set forth in section [25-30](#) of this chapter.

(6) Measurement.

a. For window signs enclosed within a border or encased within a background other than the clear glass, the measurements shall be taken from top to bottom and outside edge to outside edge of the border or background.

b. For signs which are comprised of individual letters and/or graphics affixed directly to the window glass with no border or background, measurements shall be accomplished by measuring each line of type or graphic from top to bottom and from outside edge to outside edge of the farthest most letters, including all spacing between letters and/or words and including the clear spaces within the letters themselves.

c. For signs comprised of individual letters which are affixed directly to the window glass with no border or background and which have anomalous spacing

between the letters, the area of each individual letter shall be measured as described in subsection b, above.

(b) *Temporary Signs.*

(1) Signs announcing sales or other temporary events shall be permitted for not more than thirty (30) consecutive days, per each calendar year quarter.

(2) All temporary signs shall be lettered in a professional manner and maintained in good condition.

(3) Any owner or person entitled to possession of any vacant store is hereby prohibited from displaying upon the windows of the vacant store any sign, lettering or printed matter except one (1) sign, consisting of a maximum of six (6) square feet, advertising the availability of the premises.

(4) To the extent that a temporary window sign with commercial content is allowed by this subsection, an identical temporary window sign with noncommercial content is also allowed, provided that such sign otherwise conforms with the requirements of this article.

(Ord. No. 12-1-1, § 3, 1-10-12)

(5) A grand-opening sign not constituting in excess of twenty-five percent (25%) of the window area to a maximum of sixty (60) square feet, including background, may be posted on the window surface for a period of time not to exceed fourteen (14) days within ninety (90) days after the date of the issuance of the initial occupational license.

(6) A going-out-of-business sign not constituting in excess of ten percent (10%) of the window area, including background, may be posted in the window surface for a period of time not exceeding fourteen (14) days. This sign may be permitted only once at any one location for any one use by any one proprietor.

(c) *Permanent signs.*

(1) Any person wishing to install, alter, cause to be installed or altered, or has previously been installed without the benefit of a permit, within the municipal limits of the city any permanent window sign, must first obtain a permit from the building department of the city. Provided, however, that lettering for purposes of identification as may be required by this code of Florida law, shall be exempt from permitting requirements. The application fee for a permit for a permanent window sign shall be Twenty Dollars (\$20.00).

(2) Permanent window signs shall be comprised of two (2) colors on a clear background per location and shall be painted or affixed directly onto the window surface. The total area of such sign shall not exceed twenty-five percent (25%) of the total window area, or sixty (60) square feet, whichever is less.

(3) Information permitted to be included in such permanent window signs shall be the business name, business address, hours of operation, business telephone number and a description of the nature of the business and/or the services offered by the business, and a registered, copyrighted trademark or corporate logo.

(4) Permanent window signs which have been installed prior to the effective date of this section, (January 14, 2003), shall be brought into compliance with the provisions of this section within one (1) year of such effective date.

(d) *Lighting*

(1) Continuous electric lighting (incandescent, fluorescent or neon) shall be permitted mounted within and attached to the window casements as a border, provided it is absent any logo, graphic or signage.

(2) Such lighting must be of a single color per location.

(3) Only low-intensity lighting, not exceeding 2 foot-candle power as measured from a distance of twenty-five (25) feet from the window wall, shall be utilized.

(4) Continuous and/or intermittent, multi-colored electric lighting shall be permitted during the holiday season (October 15 through January 5). Strobe lighting is not permitted at any time.

(5) Lighting fixtures or chandeliers within the interior of the business, whether or not they contain lettering, graphics, logos, or symbols, are not considered window signs or lighting. (Ord. No. 2003-1-1; § 2, 1-14-2003)

(6) One lit "open" window sign shall be permitted per business establishment, subject to the following:

a. Lettering shall be limited to the word "open" and the sign shall be absent of any other lettering or graphics of any kind except that a continuous single border shall be allowed.

b. Lighting shall be continuous and shall be absent of any flashing or any animation.

c. Lettering shall be limited to a single color of either red, white, or blue. If a continuous single border is used, such border shall be limited to a single color of either red, white, or blue although such single color is not required to be the same single color as the lettering.

d. The background, support and any visible structural component of the sign shall be limited to be clear (colorless), black, or bronze, or a combination thereof.

e. The sign shall be limited to no greater than three (3) square feet in area.

f. The sign shall be turned off and non-illuminated when the location is closed.

g. A building permit shall be required, subject to the provisions for window signage provided in this section, including regulation of window signage area. The color of the lit open window sign shall not be considered in review of the color of other window signage at the location. Any and all requirements of the Florida Building Code, including, but not limited to electrical regulations, shall be satisfied prior to issuance of a building permit. (Ord. 09-11-1; §2, 11-3-09)

Sec. 25-27. Sign permit.

(a) *Required.* Any person wishing to install, alter or cause to be installed or altered within the municipal limits of the city any sign, whether permanent or temporary, must first obtain a permit from the building department of the city. The permit shall be issued by the building department only after determination has been made that full compliance with all conditions of this article have been met and complied with.

(b) *Application.* Applications for a permit required by this section shall be filed with the building department and shall contain the following information:

(1) Name and address of the owner of the proposed sign or his authorized agent;

(2) Type of sign and/or sign structure with all relevant dimensions;

(3) Location of premises upon which the sign is to be located;

(4) A plan or design of the sign showing the square foot area of the sign as well as the sign face, height of letters, lettering style, colors, materials, lighting equipment, if any, and its position relative to the building and/or property line;

(5) Estimated value of sign;

(6) Such other structural and technical information as may be required by the building department.

(c) *Fees.* A non-refundable permit fee is due and payable prior to issuance of a sign permit. Sign permit fees shall be established by resolution of the city commission, and may be amended from time to time.

(d) *Issuance; labels to be affixed.* If, upon examination, the building department determines that an application is in conformance with the provisions of this article, a written permit shall be issued authorizing the installation of the referenced sign. With each permit, the building department shall issue a label bearing the number of the permit and further identifying specifically the sign which the permit authorizes. The label shall then be affixed to the sign by the permittee in a manner so that the permit will be readily visible for inspection purposes. Absence of such a label upon any sign constructed or installed within the municipal limits shall be prima facie evidence of failure to meet the requirements of this article.

(e) *Revocation.* Permits issued under this section may be revoked by the building department upon determination that the sign is not in full compliance with the provisions of this article. Further, if the sign authorized by any permit has not been constructed within three (3) months after the date of issuance of any permit, then the permit shall automatically be revoked.

(f) *Exempt signs.* The following signs, while covered by the general provisions of this article, shall be exempt from the permit requirements of this section. This exemption specifically in no way waives requirements of sign criteria, structural and/or safety requirements outlined by this article and/or the South Florida building code.

(1) Community service signs;

(2) Signs installed under the direction of a federal, state, county and/or municipal agency; (3) Temporary window signs;

(Ord. 01-4-4; § 1, 4-24-01)

(4) Real estate signs;

(5) Nameplate signs and identification signs when letters for the signs do not exceed six (6) inches in height and when the signs do not exceed two (2) square feet in overall dimensions;

(6) Signs indicating the availability of accommodations in hotels, motels, etc., when the signs conform with all other provisions of this article and when the signs do not exceed one and one-half (1½) square feet;

(7) A sign indicating the price of gasoline available, permanently displayed on each pump island, not to exceed three

(3) square feet. (8) Election signs.

(9) Free expression signs. (Ord. No. 12-1-1, § 3, 1-10-12)

Sec. 25-28. Construction, maintenance and location requirements.

(a) *Structural requirements.*

(1) All structural members utilized in the construction or erection of signs shall be concealed except for vertical supports or other supporting members which are designed and arranged so as to be an integral part of the aesthetic composition of a sign.

(2) Ground signs and ground box signs permitted by this article shall not exceed six (6) feet in height above the crown of any abutting road or nearest road, with means of support concealed.

(3) All letters or symbols three (3) inches or larger on permanent identification signs must extrude from or intrude into the sign face a minimum of three-eighths of an inch except in box or cabinet signs.

(4) All wood permitted to be used, whether for new permanent signs, for replacement of existing permanent signs, or for any part thereof, shall be rot-resistant and termite-resistant, through open cell preservation methods as specified by American Wood Preservation guidelines, except in woods that have natural properties that are termite-resistant and rot-resistant. Examples of wood to be used are cypress, cedar and redwood.

(5) Electrical conduit, boxes and fittings must be located in the least visible area of the sign installation and shall be serviced by underground wiring, unless the wiring is classified as temporary by Florida Power & Light Company.

(6) Permanent signs shall not utilize more than three (3) colors, including background color. For the purpose of this article, white shall be considered a color.

(7) All wall signs shall be mounted flush to a continuous flat surface at least equal in size to the sign perimeter and under no circumstances shall any structural elements supporting the sign be visible.

(8) No wall sign shall be closer than two (2) feet from the vertical edge of a facade, nor closer than one (1) foot from the top or bottom of a facade.

(9) No more than one (1) sign shall be permitted per street frontage.

(10) The maximum height to the top of the sign for freestanding signs shall not exceed six (6) feet.

(11) All ground signs shall be placed a minimum of ten (10) feet from all property lines.

(b) *Maintenance.* Every sign, together with its framework, braces, angles or other supports, shall be maintained in a safe condition, properly secured, supported and braced and able to withstand wind pressure as required by the South Florida building code or any other regulatory code or ordinance within municipal limits. The sign's degree of illumination shall not be contrary to the public safety as determined by the local law enforcement officials.

(c) *Location.* No sign or support shall be placed in such position or manner as to obstruct or interfere, either physically or visually, with any fire alarm, traffic signal or sign, or with any devices maintained by or under public authority for ingress or egress from any public or private right-of-way, roadway or driveway.

Sec. 25-29. Waiver procedure.

(a) *Permanent window signs.*

(1) Any person seeking a waiver from the provisions of this article for permanent window signs shall file a petition with the city accompanied by a nonrefundable application fee in accordance with the growth management department's fee schedule.

(2) Applications for sign waivers for permanent window signs shall be reviewed by the planning and zoning board.

The board shall make a recommendation to approve or deny the application to the city's development review committee. The development review committee will then, based on the city code and the board's recommendation, make a final decision to grant or deny the waiver. Applicants whose petitions are denied by the development review committee may appeal that decision to the city commission by filing a written request to the city commission within thirty (30) days of such denial.

(b) *Trademarked or nationally recognized logos.*

Applications for sign waivers from established colors for permanent signs which are necessary to permit trademarked or nationally recognized logos shall be subject to administrative review and approval by the city's growth management department. The growth management department may grant or deny the waiver permitting the waiver from established colors for the trademarked or nationally recognized logo and may

impose such conditions as deemed necessary. Applicants whose petitions are denied by the growth management department may appeal that decision to the city commission by filing a written request to the city commission within thirty (30) days of such denial.

(c) *All other signs.*

(1) Any person seeking a waiver from the provisions of this article for signs other than permanent window signs shall file a petition with the city clerk accompanied by a nonrefundable application fee in accordance with the growth management department's fee schedule.

(2) Applications for waivers for signs other than permanent window signs shall be reviewed by the planning and zoning board and the city's development review committee. The final decision to grant or deny the waiver petition shall be made by the city commission.

(3) Applications for waivers for signs other than permanent window signs which seek no more than a 15% deviation from applicable size requirements may be approved administratively by the Growth Management Director or his/her designee. In the event of a denial of such administrative approval requests, the applicant may appeal pursuant to the procedures described in sections (c)(1) and (c)(2) above.

(d) *Conditions for granting waivers.*

Waivers may only be granted by the city where at least one of the following criteria is determined to be met.

(1) Signs permitted under this article cannot be properly viewed due to physical site distinctions other than those imposed by city ordinances or created by the petitioner.

(2) The architectural design of a structure and/or site plan poses unique and extenuating characteristics whereby waiver of sign code provisions is in the city's best interests.

(3) Literal enforcement of this article would result in unreasonable and undue hardship upon the petitioner.

(Ord. No. 2003-1-1, § 3, 1-14-2003; Ord. No. 16-6-1, § 3, 6-21-16; Ord. No. 18-7-2, § 2, - -18)

Sec. 25-30. Reinspection.

(a) *Annual; fee.* The chief building official shall inspect, or cause to be inspected, all permanent signs located within the city at least once in each year, prior to the renewal of their occupational licenses. A reinspection fee of fifteen dollars (\$15.00) will be charged.

(b) *Owner required to correct defects.* Upon such inspection, this article shall require the owner of any sign found to be in defective condition or which does not comply with the terms, conditions and provisions of this article, to be repaired or removed within thirty (30) days from the date of notice of the defect; provided, however, that if the chief

building official shall ascertain and determine that the maintenance or use of the sign shall adversely effect the public safety, he may require the immediate removal at the owner's expense or prohibit the use of the sign until the defects shall have been remedied.

(c) *Removal.* The chief building official shall then have the authority, upon two (2) weeks' notice, to remove any sign which is not properly maintained, and without notice in the event the sign is found in his determination to constitute a danger to human life or encroaches on the public right-of-way. In the event of removal of a sign pursuant to this section, the owner/ lessee or agent shall bear the cost of removal in addition to the penalties.

Sec. 25-31. Removal.

(a) The city reserves the right to remove any sign or advertising display which is being maintained contrary to any of the terms and provisions of this article of the code of ordinances, and any such sign or advertising display is hereby deemed to be a public nuisance.

(b) The building inspector of the city or his agent shall give notice to the person owning the sign or advertising display and to the owner and/or lessee of the property upon which the same is located, specify the location of the sign or advertising display and the nature of the violation being committed by the maintenance or keeping of the same. The notice shall also specify what is required in order to conform the sign or advertising display to the requirements and provisions of the code of ordinances. The notice shall further specify that if the sign or advertising display does not conform to the provisions of the code of ordinances, the city will take any and all action necessary in order to accomplish such result, including removal of the subject sign, all at the cost and expense of both the person owning the sign or advertising display and the owner and/or lessee of the property upon which the same is situated.

(c) The notice provided for in this section shall be served by personal service or by certified mail return receipt requested. Service by mail shall be deemed complete upon delivery. If the address of the person to be notified is unknown or the certified mail is returned either unclaimed or refused, the notice may be served by posting the same in a conspicuous place on the premises upon which the offending sign or advertising display is located, in which event service shall be deemed complete as of the moment of the posting.

(d) The person owning the offending sign or advertising display and/or the owner and/or lessee of the property upon which the same is situated, within forty-eight (48) hours after receipt of the posting of the aforementioned notice, whichever is applicable, shall take whatever action is necessary in order to remedy and cure the defects pointed out in the subject notice. If the offender has not completed corrective action within the abovementioned forty-eight-hour period, the Building Inspector may cause the sign to be removed at the expense of the owner and/or lessee of the property upon which the offending sign is located.

Sec. 25-32—25-38. Reserved.

