

**ORDINANCE NO. 22-26**

**AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 25, ARTICLE II OF THE CITY’S CODE OF ORDINANCES, ENTITLED “SIGNS;” BY SPECIFICALLY AMENDING SECTION 25-26, ENTITLED “WINDOW SIGNS;” PERMITTING ALL COLORS TO BE ELIGIBLE FOR WINDOW SIGNS; LIMITING ALL PERMITTED TYPES OF LIT WINDOW SIGNAGE TO ONLY BE ILLUMINATED DURING BUSINESS HOURS; ELIMINATING THE “HOLIDAY SEASON” RESTRICTION OF OCTOBER 15 THROUGH JANUARY 5 FOR BOTH TEMPORARY WINDOW SIGNAGE AND WINDOW LIGHTING; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Cooper City (the “City”) seeks to amend certain requirements related to window signage; and

**WHEREAS**, the City Commission specifically seeks to expand the number of permissible colors for window signs and to allow all colors to be eligible for window signage; and

**WHEREAS**, the City Commission further seeks to limit all permitted types of lit window signage to only be illuminated during business hours; and

**WHEREAS**, the City Commission also seeks to expand and clarify the timeframe in which businesses may display “holiday season” signage; and

**WHEREAS**, the City Commission finds that these proposed amendments to the City’s sign code will further enhance the City’s efforts to be a business-friendly community; and

**WHEREAS**, on May 2, 2022, City’s Planning and Zoning Board considered the amendments pertaining to the colors of window signage and the hours for illuminated window signs, and unanimously recommended approval thereof; and

**WHEREAS**, on July 25, 2022, the City’s Planning and Zoning Board considered the amendment related to holiday displays, and unanimously recommended the approval thereof;

**WHEREAS**, on September 21, 2022, City’s Business Advisory Board considered the amendments pertaining to the colors of window signage and unanimously recommended approval thereof; and

**WHEREAS**, on September 21, 2022, City’s Business Advisory Board considered the amendments pertaining and the hours for illuminated window signs, and unanimously recommended denial thereof; and

**WHEREAS**, on September 21, 2022, City’s Business Advisory Board considered the amendment related to holiday displays, and recommended the approval thereof but the vote did not pass, 4-6, with the reason that “Holiday Season” needs to be properly defined; and

**WHEREAS**, in accordance with state law, the City has conducted a public hearing and considered public input; and

**WHEREAS**, the City Commission finds that amending the City’s Code of Ordinances, as it relates to window signs and as set forth herein, is in the best interests of the citizens and residents of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:**

**SECTION 1.** The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

**SECTION 2. City Code Amended.** That Article II, entitled “Signs,” of Chapter 25, entitled “Development Standards,” of the City of Cooper City Code of Ordinances is hereby amended by specifically amending Section 25-26, entitled “Window Signs” as follows:

**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 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 25 percent of the window area, provided, however, that no single permanent window sign shall exceed 60 square feet in sign area and no single temporary window sign shall exceed 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. ....

...

(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 two foot-candle power as measured from a distance of 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. ....

(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 square feet in area. ....

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

g. 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. ....

(7) Lit window signage is restricted to business hours only.

**SECTION 3. Conflict.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

**SECTION 4. Severability.** If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

**SECTION 5. Codification.** It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City, Florida, that the Sections of this ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

**SECTION 6. Effective Date.** This Ordinance shall become effective upon passage and adoption.

**PASSED AND ADOPTED on First Reading this 29<sup>th</sup> day of November, 2022.**

**PASSED AND FINAL ADOPTION on Second Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
GREG ROSS  
Mayor

ATTEST:

\_\_\_\_\_  
TEDRA ALLEN, CMC

Approved As To Legal Form:

\_\_\_\_\_  
JACOB G. HOROWITZ  
City Attorney

**ROLL CALL**

Mayor Ross \_\_\_\_\_  
Commissioner Green \_\_\_\_\_  
Commissioner Meltzer \_\_\_\_\_  
Commissioner Pulcini \_\_\_\_\_  
Commissioner Shrouder \_\_\_\_\_