

ORDINANCE 2025-08 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 "LAND DEVELOPMENT REGULATIONS", ARTICLE 5 "SUPPLEMENTAL REGULATIONS," SECTION 23.5-1 – SIGNS, PARAGRAPH (d)(8), RELATED TO SIGNS ON STREETS; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

WHEREAS, as provided in Section 2(b), Article VIII of the Constitution of the State of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the "City"), enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, as provided in Section 166.021(3), Florida Statutes, the governing body of each municipality in the state has the power to enact legislation concerning any subject matter upon which the state legislature may act, except when expressly prohibited by law; and

WHEREAS, the City wishes to amend Chapter 23, Article 5 "Supplemental Regulations," Section 23.5-1 – "Signs," paragraph (d)(8) to provide the City Commission opportunities to allow signs in streets under certain conditions; and

WHEREAS, the Planning and Zoning Board, in its capacity as the local planning agency, considered the proposed amendments at a duly advertised public hearing; and

WHEREAS, the Historic Resources Preservation Board, in its capacity as the local planning agency, considered the proposed amendments at a duly advertised public hearing; and

WHEREAS, the City Commission has reviewed the proposed amendments and has determined that it is in the best interest of the public health, safety, and general welfare of the City to adopt this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1: The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this ordinance as if set forth herein.

Section 2: Chapter 23 "Land Development Regulations, Article 5 "Supplemental Regulations," Section 23.5-1 "Signs," paragraph (d)(8) is hereby amended by adding the words shown in underline type and deleting the words struck through as follows:

8. *Signs on streets.* No sign shall be constructed or erected in or over any road right-of-way except those listed in the "Uniform Manual of Traffic-Control Devices-" and provided for in this paragraph.
 - A. No sign shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or at any location, where, by reason of position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign,

signal or device, nor shall any sign be erected which makes use of the words "stop," "look," "danger," or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.

B. The City may construct or erect signs in City road rights-of-way, including alleys, for City purposes upon approval by the City Manager. Any such signs shall serve a public purpose and comply with the provisions of this section.

C. Signs, other than City signs, may be constructed or erected in an unimproved City road right-of-way, including alleys, upon approval by the City Commission and subject to a revocable use permit. Any such signs shall serve a public purpose and comply with the provisions of this section.

Section 3: Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4: Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: Codification. The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

Section 6: Effective Date. This ordinance shall become effective 10 days after passage.

The passage of this ordinance on first reading was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch
Vice Mayor Sarah Malega
Commissioner Christopher McVoy
Commissioner Mimi May
Commissioner Anthony Segrich

The Mayor thereupon declared this ordinance duly passed on first reading on the _____ day of _____, 2025.

The passage of this ordinance on second reading was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch
Vice Mayor Sarah Malega
Commissioner Christopher McVoy
Commissioner Mimi May
Commissioner Anthony Segrich

The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2025.

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LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk