



# Memorandum

**Meeting Details:** June 17, 2023, BOC Regular Meeting

**Prepared For:** Hon. Mayor Rostek and Board of Commissioners

**From:** Community Development Department

**Subject:** Ordinance 2023-12, Amendment to LDR - Definition of Portable Sign – 2<sup>nd</sup> Reading & Public Hearing

**Background:** Ordinance 2023-12 updates the definition of portable sign to follow the federal appeals court ruling from LaCroix v. Town of Fort Myers Beach. The case ruled that it is a first amendment right for citizens to be able to carry non-commercial speech signs in public areas such as sidewalks and parks.

**Discussion:** Ordinance 2023-12 clarifies that a sign not bearing a commercial message which is carried by a person (whether worn or held by hand) shall not be considered a prohibited portable sign. These signs shall be permitted to be carried in any location such person is otherwise lawfully allowed to be present, including on the City's sidewalks and parks. The Local Planning Agency (the Planning Commission) recommended approval of Ordinance 2023-12 and the first reading and public hearing before the Board of Commissioners occurred at the May 10, 2023 meeting.

**Fiscal Impact:**

N/A

**Recommendation(s):**

Planning Commission and staff recommends approval of Ordinance 2023-12.

**Attachments:**

- Ordinance 2023-12
- Forward Pinellas Consistency Letter