

CAMPAIGN SIGNS

POLITICAL SIGN RESTRICTIONS

The City of Madeira Beach does not have the authority to investigate complaints or alleged violations of Florida Statute regarding political signs. Depending on the nature of the violation, complaints regarding political signs should be directed to the Florida Elections Commission or to the local law enforcement agency where the violation occurred. Campaign signs on private property that meet the criteria in Sec. 102-94 do not require permitting.

Contact the Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050
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NO-SOLICITATION ZONE ON ELECTION DAY (SEC. 102.031(4), F.S.)

1. No person, political committee, or other group or organization may solicit voters inside the polling place or within 150 feet of a secure ballot intake station or the entrance to any polling place, a polling room where the polling place is also a polling room, an early voting site, or an office of the supervisor where vote-by-mail ballots are requested and printed on demand for the convenience of electors who appear in person to request them. Before the opening of a secure ballot intake station location, a polling place, or an early voting site, the clerk or supervisor shall designate the no-solicitation zone and mark the boundaries.
2. For the purpose of this subsection, the terms “solicit” or “solicitation” shall include, but not be limited to, seeking or attempting to seek any vote, fact, opinion, or contribution; distributing or attempting to distribute any political or campaign material, leaflet, or handout; conducting a poll except as specified in this paragraph; seeking or attempting to seek a signature on any petition; selling or attempting to sell any item; and engaging in any activity with the intent to influence or effect of influencing a voter. The terms “solicit” or “solicitation” may not be construed to prohibit an employee of, or a volunteer with, the supervisor from providing nonpartisan assistance to voters within the no-solicitation zone such as, but not limited to, giving items to voters, or to prohibit exit polling.

CAMPAIGN SIGNS COMMENCING 60 DAYS PRIOR TO ANY PUBLIC ELECTION (City Code, Chapter 102. Signs)

Sec. 102-49. Signs excluded from permitting.

The following signs are expressly excluded from the provisions of this chapter. No permits shall be required for the erection, painting, papering, construction or modification of these excluded signs on private property.

1. Decals affixed to or signs painted on store equipment, fuel pumps or other types of vending equipment used for dispensing retail products.
2. Decals affixed to or signs painted or affixed to store windows covering less than five percent of the total aggregate store window area.
3. Building marker, tablets or plaques not exceeding two square feet.
4. One residential identification sign, professional name plate or occupational sign for each establishment not exceeding two square feet aggregate sign area. This sign shall denote only the name of the occupant, the occupant's profession, the street and/or number of the premises.
5. Address numbers on residential and commercial buildings.
6. Signs wholly within a building not visible from a public right-of-way.
7. Temporary signs in residential districts erected on private property for up to 24 hours on the day in which a yard sale or garage sale is conducted upon said property so long as said signs do not exceed four square feet in sign area which shall be as provided in section 110-559.
8. Signs installed by or under the direction of a governmental agency, traffic signs, legal notices, danger signs, and temporary emergency signs. Notwithstanding the foregoing, traffic control signs installed by nongovernmental entities shall comply with the uniform traffic control code.
9. Statutory notice or warning signs, including but not limited to no trespassing, private property and bad dog or other animal warning signs permitted in any zoning classification provided that the area of the sign does not exceed four square feet. The maximum number of signs shall be four.
10. A maximum of two three-foot by five-foot flags may be displayed.
11. Signs attached to or painted on motor vehicles. Such signs shall not extend beyond the normal configuration of the vehicle, except for thickness of sign and minor variations caused by signs attached to curved surfaces. This section shall not be construed to permit vehicle signs as defined in subsection 102-5(15).
12. Up to four directional signs per site provided that each sign does not exceed four square feet in area.
13. One two-sided non illuminated sign per parcel during the time when said parcel is offered for sale or lease, however if the parcel is located on a corner lot two signs, one for each street frontage are allowed subject to the following maximum sign area restrictions:
 - a. No sign shall exceed four square feet of aggregate display area per sign face or be more than six feet in height.

- b. Signs shall be removed within seven days after the sale or lease transaction is completed.
 - c. Signs may be placed on rights-of-way a minimum of three feet from curbs or if applicable, sidewalks, provided they do not constitute a hazard or interfere with traffic visibility as determined by the building official or the city manager's designee. If a curb or sidewalk does not exist, the signs may be placed a minimum of three feet from the edge of the pavement, provided they do not constitute a hazard or interfere with traffic visibility.
14. Two signs may be erected on a site where building construction or remodeling is in progress. Each sign shall be limited to 32 square feet of sign area, provided the signs shall be removed from the site within seven days of the completion of the construction. The city manager shall be solely responsible for determining if construction is completed.
 15. For the period commencing 60 days in advance of any public election to be conducted within the city through seven days after the conclusion of said public election, signs may be placed on private property, provided that they comply with section 102-194.
 16. No more than one A-frame (sandwich board) sign, not exceeding 32 inches wide and 48 inches high, which shall remain on private property and shall only be displayed when the business is open.

Sec. 102-194. Signs during election periods

1. Up to four signs may be erected on any private property commencing 60 days prior to any public election which will be held within the city through seven days after said public election, with no permit fee requirement. Such signs are allowed on private property, provided that:
 - a. Signs do not exceed four square feet in area each.
 - b. The property on which the sign is located has the permission or authorization of the owner or renter of the real property.
 - c. Signs are to be removed within seven days after the date of the election.
2. Larger signs may be erected on private property commencing 60 days prior to any public election which will be held within the city through seven days after said public election, with no permit fee required, provided that:
 - a. Each applicant may install no more than four larger signs in the city and no more than one per lot. No sign shall exceed 32 square feet in area. A double-sided sign shall be considered one sign with each side displaying a maximum of 16 square feet in area.
 - b. The applicant properly maintains his or her signs.
 - c. A sign erected pursuant to this section shall be placed on no more than four 4×4 pieces of wood secured in the ground and the bottom of the sign face shall be no more than four feet above the grade level adjacent.

3. The foregoing provisions do not limit the right to substitute a free expression message (including a political, commercial or non-commercial message) for any message that may otherwise appear on a lawfully erected sign.

Sec. 102-8. Signs on right-of-way.

1. No sign other than those specifically authorized by subsections 102-49(13)c. and 102-49(15) shall be placed within a public right-of-way within the city unless said sign was so installed by, or at the direction of, a governmental agency. Any sign in violation of this section shall be subject to immediate removal and impounding by the building official or a designee of the city manager.
2. The building official may cause any sign which is an immediate peril to persons or property to be removed immediately.

Note. Sec. 107.1435, Florida Statutes - Pursuant to chapter 479, no political campaign advertisements shall be erected, posted, painted, tacked, nailed, or otherwise displayed, placed, or located on or above any state or county road right-of-way.

Sec. 102-72. Removal of portable signs.

1. Any portable sign located on a public right-of-way, may be removed by the city without notification to the owner or other person or persons having control, custody, or obtaining benefit from such sign. Any such sign removed under this section shall be stored by the city for a period not to exceed five days and may be reclaimed by such person within such five-day period after paying an administrative fee of \$50.00. Any such sign may be destroyed by the city if not claimed within five days of its removal by the city.

Sec. 102.10. Posting on government property; regulation.

1. No sign shall be placed upon government property unless so placed by, or at the express direction of, the governmental agency. As used herein, government property shall include, but is not limited to, property owned by the city, county, state, school district or federal governments or any agency thereof.

Sec. 102-107. Home signs

1. In addition to the signs otherwise permitted by this chapter, one nonlighted flat mounted wall or window sign not exceeding two square feet in area shall be permitted on the street front of the principal structure if a local business tax receipt has been issued for that structure.

Sec. 102-146. Pole signs or ground signs-general requirements

1. One ground or pole sign is permitted for each single or multi-occupancy parcel having frontage of 500 feet or less on a public street. If the lot has public street frontage in excess of 500 feet, one additional ground or pole sign shall be permitted. Electronic reader boards shall not be placed upon ground or pole signs. Additional signs will be spaced at least 300 feet from the other sign.

Sec. 102-147. Pole signs or ground signs—Area.

1. The maximum allowable sign area for each ground or pole sign for a single occupancy parcel shall not exceed 12 square feet of aggregate display area plus one square foot of additional display area for each lineal foot of public street frontage of over 12 feet or 100 square feet of aggregate display area, whichever is less. No single face shall exceed 50 square feet.
2. The maximum allowable sign area for each ground or pole sign for multioccupancy parcels shall not exceed 12 square feet of aggregate display area plus one square foot of additional display area for each lineal foot of public street frontage over 12 feet, along the street the sign faces, or 200 square feet of aggregate display area (including building signs) whichever is less. No single face shall exceed 100 square feet in aggregate sign area.

Sec. 102-148. Sign—Height.

1. Pole signs shall not exceed 25 feet in height.
2. Ground signs shall not exceed eight feet in height when measured from the grade of the street nearest the base of the sign to the top of the sign.

Sec. 102-149. Setbacks

1. Pole signs shall be set back a minimum of ten feet from the right-of-way line and 30 feet from the intersection of right-of-way lines.
2. Ground signs shall be set back a minimum of 15 feet from the right-of-way lines and 30 feet from the intersection of right-of-way lines.

Sec. 102-150. Sign—Clearance.

1. Pole signs shall maintain a minimum ground clearance of eight feet, measured from the grade at the base of the sign to the bottom of the sign face.

Sec. 102-151. Revolving signs.

1. A revolving sign may only be used when the revolving sign replaces two or more ground or pole signs which would otherwise be permitted on the parcel. Revolving signs shall have an aggregate display area not to exceed 100 square feet and no single face shall exceed 50 square feet. Revolving signs will maintain the same height, setback and clearance requirements for pole signs.

Sec. 102-7. Maintenance of signs

1. An abandoned sign is prohibited and shall be removed by the property owner of land upon which the sign is found after 15 days written notice by the building official or the city manager's designee.
2. Weeds and grass shall be cut and maintained for a distance of ten feet around the sign.

SIGNS SPECIFICALLY PROHIBITED (SEC. 102-5, CITY CODE)

The following signs are expressly prohibited from use and or display in the City unless otherwise provided by this chapter.

1. Waterway signs are not allowed in or upon any body of water within the limits of the city except for approved regulatory or warning signs. As used herein, the term waterway signs does not include dock signs. Dock signs are regulated by section 102-152.
2. Abandoned signs.
3. Banners including pennants, searchlights, twirling signs, and sidewalk or curb signs. However, one banner sign not to exceed three feet by 16 feet and one flutter sign per 50 feet of frontage may be displayed for a maximum of 60 days by new businesses (not including a change of ownership) from the time a permit is issued for new construction or remodeling until 30 days after a local business tax receipt has been issued.
4. Snipe sign.
5. Temporary signs, constructed of cloth, canvas, cardboard, wallboard, plywood, plastic, metal or other material with or without a rigid frame intended to be displayed for short periods of time. This provision shall not be construed to prohibit those specific temporary signs authorized elsewhere in this chapter, such as sections 102-49(7) and 102-155.
6. Flashing or animated signs.
7. Window signs when an aggregate sign area covers more than 25 percent of the total window surface area.
8. Signs on bus shelters and benches.
9. Three dimensional objects which are used as signs to include inflatable balloons.
10. Portable signs.
11. Off-site signs.

12. Billboards.
13. Vehicle signs, (i.e. signs on vehicles or vessels or other self propelled objects in which a significant purpose for the use of the vehicle or vessel is to display the sign) or portable trailer signs. This provision also prohibits vehicle sign, when the vehicle is not "regularly used in the conduct of the business or activity," and
 - a. Is visible from a street right-of-way within 100 feet of the vehicle, and
 - b. Is parked for more than two consecutive business hours or during off business hours within 100 feet of any street right-of-way.
14. Any sign which:
 - a. Contains any obscene or pornographic statements, words or pictures.
 - b. Employs motion picture projection or has visible moving parts or gives the Illusion of motion.
 - c. Employs audible sound, vapor, smoke, odors, particles or gaseous matter
 - d. Obstructs, conceals, hides, imitates, or otherwise obscures any official traffic or government sign, signal or device.
 - e. Has unshielded illuminated devices which produce glare or are a hazard or nuisance to motorists or occupants of adjacent properties.
 - f. Has a lighting or control mechanism, which causes radio, television or other communication interference.
 - g. Projects over a public street, alley, sidewalk, or other public space, including right-of-way unless installed by, or under the direction of a governmental agency and consistent with design standards contained herein or in special district or individual development orders.
 - h. Is located or constructed in such a manner as to obstruct free and clear vision at an intersection or vehicular traffic in general.
15. Building murals without a permit or containing any words, or obscene, reflective, moving or lighted material.
15. Signs painted or attached to seawalls/retaining walls along any water body, public utility poles, or trees~
17. Computerized signs (other than those erected by government for public and safety notices), with animated display, running copy or copy which changes. Signs that display time and temperature only may be permitted provided the signs are (a) low profile (do not exceed six feet in height), and (b) have not received a variance for sign or message dimensions and (c) the area devoted to the moving copy does not exceed one square foot. Additional landscaping and locational standards may apply.
18. Air inflatable signs, wind-activated signs, air-dancer signs, sky dancer signs displayed in any exterior location, except for non-profit events lasting no longer than 72 hours when such signs are permitted as an element of the special events permit and placed so as to avoid distraction of drivers and interference with vision triangles.
19. Flutter signs except a maximum of one per 50 feet of linear frontage may be displayed for a maximum of 60 days by new businesses (not including a change of ownership)

from the time a permit is issued for new construction or remodeling until 90 days after a local business tax receipt has been issued. Those in place and compliant as of the adoption of the ordinance from which this section derives may remain until June 11, 2019.

20. Commercial mascots, meaning any person, robot or animal costumed or decorated to function as a sign including "sign twirlers," "sign clowns," human sandwich boards," "sign walkers" or "sign holders."
21. Three-dimensional objects that are used as signs.
22. Lit signs in violation of standards and definitions regarding artificial light sources in Sea Turtle Conservation Zone. (For environmental standards regulating activities in the Sea Turtle Conservation Zone, see Sec. 110-504).

USAGE AND REMOVAL OF POLITICAL CAMPAIGN ADVERTISEMENTS (SEC. 106.1435)

Signs placed on the State, County or City rights of way – Political campaign signs may not be placed on any state, county or city rights of way.

Signs placed on private property – Temporary political campaign signs may be placed on private property with the permission of the owner, and such signs do not require a permit under state law.

Please advise your campaign workers to ensure that signs are placed on private property. Signs placed on the state, county or city rights of way may be picked up by the appropriate staff and placed in one of the department's maintenance yards.

1. Each candidate, whether for a federal, state, county, or district office, shall make a good faith effort to remove all of his or her political campaign advertisements within 30 days after:

[Note. Per City Code, Sec. 102-194, signs during the election period must be removed within seven days after]:

- a. Withdrawal of his or her candidacy;
- b. Having been eliminated as a candidate; or
- c. Being elected to office

However, a candidate is not expected to remove those political campaign advertisements that are in the form of signs used by an outdoor advertising business as provided in chapter 479. The provisions herein do not apply to political campaign advertisements placed on motor vehicles, such as bumper stickers, or to campaign messages designed to be worn by persons.

2. If political campaign advertisements are not removed within the specified period, the political subdivision or governmental entity has the authority to remove such advertisements and may charge the candidate the actual cost of such removal. Funds collected for removing such advertisements shall be deposited to the general revenue of the political subdivision.

3. Pursuant to chapter 479, no political campaign advertisements shall be erected, posted, painted, tacked, nailed, or otherwise displayed, placed or located on or above any state or county road right-of-way.
4. The officer before whom a candidate qualifies for office shall notify the candidate, in writing, of the provisions in this section.
5. This provision does not preclude municipalities from imposing additional or more stringent requirements on the usage and removal of political campaign advertisements.

ADMINISTRATIVE RESPONSIBILITY (SEC. 102-4, CITY CODE)

It shall be the responsibility of the City building official, or a designee of the city manager, to administer and enforce supervision of this chapter (Chapter 102, City Code). Appeals regarding the administration of the sign code may be made to the special magistrate within 30 days of the administrative decision for administration of code provision not pertaining to the building. The appeal may be made by filing an appeal application with a letter or other written document setting forth a description of the alleged error and the applicable provisions of this section or the LDRs pertaining to the administrative official's order, action, decision, determination, requirement, or failure to act. The special magistrate shall hold a hearing within 30 days of the date of receipt of the written appeal and shall render a written decision within 15 days following the close of the hearing. The special magistrate's decision shall be final.