



AGENDA ITEM MEMORADUM

Development Services

Linda Connors *LC*

Department

Town Planner

COMMISSION MEETING DATE (*) - 7:00 PM	Deadline to Town Clerk
<input checked="" type="checkbox"/> March 27, 2012	March 16, 20102

*Subject to Change

- | | | | |
|---------------------------------------|---|---------------------------------------|--|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Reports | <input type="checkbox"/> Consent | <input checked="" type="checkbox"/> Ordinance |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Quasi-Judicial | <input type="checkbox"/> Old Business | <input type="checkbox"/> New Business |

FY2011 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC

SUBJECT TITLE: **Proposed Amendments to the Sign Code.**

EXPLANATION: On February 28, 2011, the Commission approved Ordinance 2012-04 (**Exhibit 1**) on first reading, which will repeal the existing sign code and replace it with the proposed ordinance. At that time, the Commission directed staff to prepare several amendments to the ordinance for second reading. The amendments and proposed revisions to the ordinance are outlined below:

1. Retain the existing code language that pertains to historical signage.

Response: The existing code language pertaining to historical signage has been retained. (Exhibit 1 - line 1103)

2. Amend the proposed holiday lighting provision to allow seasonal lighting displays throughout the year.

Response: The proposed language allows lighting for holidays falling in December and January to be installed 60 days before the holiday and requires the seasonal lighting and displays to be removed within 15 days after the holiday. Installation for all other holidays would be allowed 30 days prior to the holiday with removal required within 15 days after said holiday. (Exhibit 1 - line 168)

3. Amend the Code to allow strip lighting in windows.

At first reading, the Commission asked staff to amend the ordinance to allow strip lighting within windows. They represented that the strip lighting in the windows at Diamonds and Doggies was an example of what should be allowed and that soft white lighting was the preferred color.

Response: Staff is recommending that the Commission add language to the ordinance that allows strip lighting in the B1A and B1 zoning district that is a width of two (2) inches or less and is between 2700 and 3500 Kelvin temperature (temperature range that provides a soft white lighting). The lighting will be allowed to outline a window and its architectural features. Lighting that is strobing, flashing, blinking, chasing and/or changing color is prohibited. The strip lighting will be a permitted sign and lighting specifications on this type of signage will be required with the permit application. (Exhibit 1 - lines 208, 286, 618, 793, 901, 1235)



4. Landmark Signage

At the March 13th Commission meeting, staff presented a report regarding the replacement of the Pier's roof sign and the ability to preserve and replace other significant signage within the code. The Commission requested staff to include a provision that would allow certain landmark businesses to have signage that is beyond the sign code provided that the sign has significant character.

Response: Staff developed a process that allows the Commission to grant a waiver of the Town Code related to signage for a landmark business. The new language identifies a landmark business as a business with:

- *A history of operation for a minimum of 35 years at the same location.; and*
- *Establishment of an identity and business awareness of such character and reputation as to be considered an identifiable landmark within the town.*

Landmark businesses will be established upon the submittal of an application to the Town by the business owner and approval by Resolution of the Town Commission. The language related to landmark signage and landmark business designation has been included in the revised ordinance as Section 30-510 Landmark Signage. (Exhibit 1 - line 937)

During the final review of the ordinance, we also:

- Made additional changes to the code that were necessary to implement staff's intent regarding administration of the permitting process by adding a sixty-day extension period as presented to the Commission during first reading (*Exhibit 1 - line 924*);
- Corrected the alphabetization and numbering of signage allowed in the B1 and B1A zoning district (*Exhibit 1 - line 771*);
- Deleted duplicative reference to warning and danger signage (*Exhibit 1 - line 1255*); and
- Corrected a few scrivener's errors.

All revisions that occurred after the February 28th Commission meeting are included in Exhibit A as strike-thru and underline text or otherwise noted in Exhibit 1.

RECOMMENDATION: Staff recommends approval of the attached ordinance.

EXHIBIT 1: Ordinance 2012-04

Ordinance Reviewed by Town Attorney

Yes No

Town Manager Initials

ORDINANCE NO. 2012-04

1
2 AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-
3 THE SEA, AMENDING CHAPTER 30, UNIFIED LAND
4 DEVELOPMENT REGULATIONS, ARTICLE V. ZONING,
5 TO DELETE AND REPLACE ARTICLE VIII. SIGN
6 REGULATIONS IN ITS ENTIRETY, IN ORDER TO
7 REORGANIZE THE EXISTING SIGN REGULATIONS
8 FOR EASE OF USE AND INTERPRETATION AND TO
9 REVISE AND CLARIFY DEFINITIONS, REQUIREMENTS
10 AND STANDARDS; PROVIDING FOR CODIFICATION,
11 SEVERABILITY, CONFLICTS AND AN EFFECTIVE
12 DATE.

13
14 WHEREAS, the Town Commission finds and determines that the Town's land
15 development regulations are required to regulate signs as provided by Section 163.3202(2)(f),
16 Florida Statutes; and

17 WHEREAS, the Town Commission of the Town of Lauderdale-By-The-Sea does not wish
18 to censor speech, but rather to provide for the public welfare by regulating signage in the Town in
19 a manner that enhances the aesthetics of the community, reduces visual pollution, provides clear
20 information and minimizes distractions to drivers in the interests of traffic safety; and

21 WHEREAS, sign regulation to advance the governmental purpose of aesthetics has long
22 been upheld by the state and federal courts; and

23 WHEREAS, as long ago as 1954, the U.S. Supreme Court recognized that "the concept of
24 the public welfare is broad and inclusive," that the values it represents are "spiritual as well as
25 physical, aesthetic as well as monetary," and that it is within the power of the Town Commission to
26 determine that the community should be beautiful as well as healthy, spacious as well as clean,

27 well-balanced as well as carefully patrolled,” in *Berman v. Parker*, 348 U.S. 26, 33 (1954), which
28 was followed by *State v. Miami Beach Redevelopment Agency*, 392 So. 2d 875 (Fla. 1980); and

29 **WHEREAS**, sign regulations have been held to advance these aesthetic purposes and
30 advance the public welfare in *City of Lake Wales v. Lamar Advertising Ass'n of Lakeland, Florida*,
31 414 So. 2d 1030 (Fla. 1982); and

32 **WHEREAS**, the Town Commission finds that portable moving signs create distractions for
33 drivers impacting the safety and welfare of pedestrians and drivers and further create an
34 aesthetically unpleasant atmosphere; and

35 **WHEREAS**, the courts have upheld regulations and bans on portable advertising. *Don's*
36 *Porta Signs, Inc. v. City of Clearwater*, 829 F.2d 1051 (11th Cir.1987) (upholding ban on display of
37 portable signs based on deposition testimony and photographs in record “confirming an unsightly
38 visual cluster”); *Harnish v. Manatee County*, 783 F.2d 1535, 1539 (11th Cir.1986) (finding ban on
39 portable signs satisfied the Central Hudson test, emphasizing that the governmental entity charged
40 with the responsibility of making determinations about aesthetics must be given discretion in
41 determining both the best method of achieving that goal and the degree of protection necessary; and

42 **WHEREAS**, the Town Commission finds and determines that this Ordinance is consistent
43 with all applicable policies of the Town’s adopted Comprehensive Plan; and

44 **WHEREAS**, the Town Commission is aware that the failure of some courts to apply
45 severability clauses has led to an increase in litigation by billboard developers and other applicants
46 seeking to strike down sign regulations in their entirety so that they may argue that their applications
47 to erect billboards or other signs must be granted; and

48 **WHEREAS**, the Town Commission reiterates its desire that there be an ample and
49 unequivocal record of its intention that the severability clauses it has adopted related to its sign
50 regulations shall be applied to the maximum extent possible, even if less speech would result from a
51 determination that any exceptions, limitations, variances, or other sign provisions are invalid or
52 unconstitutional for any reason whatsoever; and

53 **WHEREAS**, Section 30-531 of the Code requires issuance of a Notice of Intent prior to
54 the processing of any amendment to the land development regulations in Chapter 30 of the Code,
55 and such notice was given of this amendment on November 29, 2011; and

56 **WHEREAS**, the Planning and Zoning Board, sitting as the Local Planning Agency, has
57 reviewed this Ordinance at a duly noticed hearing on January 18, 2012, and recommended its
58 adoption with amendments; and

59 **WHEREAS**, the Town Commission conducted a first and second reading of this Ordinance
60 at duly noticed public hearings, as required by law, and after having received input from and
61 participation by interested members of the public and staff, the Town Commission has determined
62 that this Ordinance is consistent with the Town's Comprehensive Plan and in the best interest of the
63 Town, its residents, and its visitors.

64 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF**
65 **THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AS FOLLOWS:**

66
67 **SECTION 1. Recitals.** The foregoing "Whereas" clauses are ratified and confirmed as
68 being true, correct and reflective of the legislative intent underlying this Ordinance and are
69 hereby made a specific part of this Ordinance.

102 A. The Town has a compelling interest in allowing the following signs in order to comply with state and
103 local laws and to promote public safety on Town property and/or in the street right-of-way. The
104 following signs may be installed without a sign permit, provided they meet the requirements listed
105 below and are otherwise in conformance with this Article. Under certain circumstances these signs may
106 require a building permit or right-of-way encroachment permit. Contact the Town's Development
107 Services Department for permitting requirements prior to installing any of the signs listed below. Any
108 sign which does not meet the criteria of this section and is not specifically permitted elsewhere in this
109 Article is prohibited.

110 (1) Any sign not visible from any street, property (other than the subject site), beach or water body;

111 (2) Any sign contained within a building and set back from any window at least ten (10) feet;

112 (3) Customary price tags and labels not exceeding 15 square inches in size on merchandise in
113 display windows;

114 (4) Date/time and temperature indicator: one per plot, no larger than four square feet in size;

115 (5) Flags:

116 (a) On residential property up to a cumulative maximum of 40 square feet; and

117 (b) Up to four flags on non-residential property, up to a cumulative maximum not to exceed
118 one (1) square foot of flag per linear foot of the front lot line.

119 ~~(6) Seasonal lighting may be installed from November 15 of one year until February 15 of the~~
120 ~~following year.~~

121 ~~(7)~~(6) Informational, wayfinding, directional, hazard and traffic control and similar signs installed by a
122 government agency;

123 ~~(8)~~(7) Legal notices required to be posted by law or ordinance;

124 ~~(9)~~(8) Name and address signs:

125 (a) Letters or numerals shall be no more than six (6) inches in height;

126 (b) Each name and address sign shall not to exceed two (2) square feet in sign area;

127 (c) Every building shall display an address sign that is clearly visible from the street;

128 (d) Buildings that have rear door access to an alley or parking lot shall also display an address
129 sign that is clearly visible from the alley or parking lot; and

130 (e) See additional regulations per zoning district, as provided in Sec. 30-508 Sign regulations by
131 zoning districts.

132 ~~(10)~~(9) "No admittance," "exit only" and similar signs applied onto or next to rear or emergency doors
133 with letters no more than six inches in height;

134
135 ~~(11)~~(10) Noncommercial signs not to exceed a cumulative total area of sixteen ~~(16)~~ square feet per
136 property (residential or non-residential) or business establishment;

137 ~~(12)~~(11) "No parking," "no trespassing" and similar signs, and warning or danger signs, no larger than
138 four square feet in size, up to a cumulative maximum of four signs per property;

139 ~~(13)~~(12) Political Candidate and Election Issue signs:

- 140 (a) May not be erected upon public right-of-way or government-owned or leased property
141 except that political candidate and election issue signs may be placed on property at the
142 Town Municipal Complex on election day, subject to all state and federal restrictions;
- 143 (b) Shall be of a temporary nature and shall not exceed an overall size of two (2) feet by three
144 (3) feet;
- 145 (c) The candidate, or in the case of the election issue sign the property owner, shall be
146 responsible for removing the signs within seven (7) days after the date of the election;
- 147 (d) May not be erected or placed upon parkways, utility poles, or trees; and
- 148 (e) Must be set back at least five feet from any right-of-way or property line except in the B-1 or
149 B-1-A or B-1 Zoning Districts, where no setback is required.

151 ~~(14)~~(13) Real estate sign:

- 152 (a) The name and phone number of the person or company responsible for placing and
153 removing the sign shall be listed on the sign;
- 154 (b) Real estate signs located in residential zoning districts shall be no larger than 24 inches wide
155 by 18 inches high;
- 156 (c) When mounted upon the ground, with a frame or holder and post, the height of the frame
157 or holder and post shall not exceed 36 inches in height;
- 158 (d) Properties shall be limited to one (1) real estate sign per street frontage and waterway;
- 159 (e) No real estate sign may be placed on public property or public right-of-way;
- 160 (f) Real estate signs placed on or for property which is for sale or lease, during a period of open
161 viewing ("open house" signs) may only be posted during the hours of the open house and
162 may only be posted on private property with the permission of the property owner;
- 163 (g) Shall be set back at least five (5) feet from any right-of-way or property line; and
- 164 (h) "Handmade" or stenciled real estate signs are prohibited.

165
166 ~~(15)~~(14) "Reserved," or similar lettering or numbers applied to parking space wheel stops;

167 ~~(16)~~(15) Signs required to be posted by a government regulation or law enforcement agency; and

168 **(16)** Temporary holiday and seasonal lighting and decorations: Lighting and other decorations may
169 be displayed temporarily for the purpose of setting a holiday or seasonal event ambiance, subject to the
170 following display time periods:

- 171 (a) When a holiday or seasonal event occurs during the month of December and January,
172 lighting and decorations pertaining to the holiday or seasonal event may be installed up to
173 60 days prior to the date the holiday or seasonal event and must be removed within 30 days
174 following the date of the holiday or seasonal event.

175 (b) When a holiday or seasonal event occurs during a month other than December and January,
176 lighting and decorations pertaining to the holiday or seasonal event may be installed up to
177 30 days prior to the date of the holiday or seasonal event and must be removed within 14
178 days follows the date of the holiday or seasonal event.

179 **(17)** Temporary Special Event signs of any type used as part of a special community event or fair,
180 which has been specifically authorized by the Town Commission.

181 **Sec. 30-503. - Permitted signs.**

182 The following types of permanent signs may be erected, installed, repaired or replaced within the Town,
183 only in conformance with these regulations and after issuance of a permit by the Development Services
184 Department:

185
186 **(1)** Automated Teller Machine (ATM) Signs;

187
188 **(2)** Building or development identification signs;

189
190 **(3)** Cabinet signs;

191 **(4)** Canopy and awning signs;

192 **(5)** Changeable copy signs;

193 **(6)** Directory sign;

194 **(7)** Hanging signs;

195 **(8)** Informational, wayfinding, directional and traffic control signs;

196 **(9)** Menu board signs;

197 **(10)** Monument signs;

198 **(11)** Multi-modal transportation information signs for Town-licensed multi-modal transportation
199 facilities located in rights of way;

200 **(12)** Name and address signs, not otherwise exempt;

201 **(13)** Neon signs,

202 **(14)** Painted signs;

203 **(15)** Pole signs;

204 **(16)** Pylon signs;

205 **(17)** Roof signs;

- 206 (18) Strip, string or rope lighting;
- 207 ~~(18)~~(19) Subdivision and residential development identification signs;
- 208 ~~(19)~~(20) Valet and paid private parking sandwich signs;
- 209 ~~(20)~~(21) Wall signs; and
- 210 ~~(21)~~(22) Window signs.

211 **Sec. 30-504.- Temporary signs.**

212 The following types of signs may be permitted within the Town as temporary signs, only in conformance
213 with these regulations and after issuance of a temporary sign permit by the Development Services
214 Department.

215
216 Unless otherwise addressed by this article, temporary signs shall be removed within seven days after the
217 event to which they relate.

218
219 **(1) Announcing signs:**

- 220 (a) An announcing sign shall not exceed 32 square feet in size;
- 221 (b) An announcing sign for a new business may be displayed from the date of issuance of a business
222 tax receipt for a period not exceeding 30 consecutive days;
- 223 (c) An announcing sign for a future development may be displayed from the date of approval of a
224 site plan by the Town Commission or the issuance of a building permit when no site plan
225 approval is required, until the issuance of the certificate of occupancy;
- 226 (d) An announcing sign for an upcoming event may be posted from 14 days prior to the event until
227 the day after the event;
- 228 (e) A temporary sign permit for an announcing sign shall not be issued more than twice per year for
229 the same business;
- 230 (f) Shall be setback at least five (5) feet from any right-of-way or property line; and
- 231 (g) "Handmade" or stenciled announcing signs are prohibited.

232 **(2) Banner signs:**

- 233 (a) A banner sign shall not exceed 32 square feet in sign area;
- 234 (b) A temporary sign permit for one (1) banner sign may be issued for a period not to exceed 14
235 days to announce the opening of a business, a change of business name or an annual church
236 event; and
- 237 (c) A temporary sign permit for the use of banner signs shall not be required for a special
238 community event specifically authorized by the Town Commission.

239
240 **(3) Contractor signs;**

- 241 (a) A contractor sign shall not exceed 16 square feet in size;
- 242 (b) Shall be set back at least five (5) feet from any right-of-way or property line; and
- 243 (c) "Handmade" or stenciled contractor signs are prohibited.

244 (4)Garage sale signs as provided in chapter 14.5, article I;

245 (5)Portable identification signs for a use fronting a roadway under construction:

246 (a) Only allowed when associated with a non-residential use, to be posted adjacent to the road
247 right-of-way that is under construction during the period of road construction and must be
248 removed immediately upon completion of the road construction;

249 (b) The sign shall not exceed 16 square feet in area;

250 (c) The sign must have its own support structure;.

251 (6)Special event signs:

252 (a) A special event sign shall not exceed 32 square feet in size;

253 (b) A special event sign shall not be posted for more than 14 days without the approval of the
254 Town Commission;

255 (c) A temporary sign permit for a special event sign shall not be issued for the same property or
256 location more than four (4) times per year without the approval of the Town Commission;

257 (d) Shall be set back at least five(5) feet from any right-of-way or property line; and

258 (e) A special event sign that is a banner sign shall also be subject to regulations for banners as
259 provided in this section.

260 **Sec. 30-505. - Prohibited signs.**

261 The following types of signs are expressly prohibited within the Town:

262 (1) Animated or flashing signs,

263

264 (2) Any sign not listed elsewhere in these regulations as an exempt, permitted or temporary sign;

265

266 (3) Permanent balloon signs;

267 (4) Billboards/off-premises signs;

268 (5) Electronic signs;

269 (6) Internally illuminated, Transparent or Translucent Awnings or Canopies Used as Signs;

270 (7) Murals;

271 (8) Permanent banner signs;

272 (9) Portable moving signs;

273 (10) Private signs of any type placed upon Town property or upon public right-of-way unrelated to a
274 licensed use of the right-of-way;

275 (11) Signs placed upon benches, trash receptacles, newsracks or posted on a tree;

276 (12) Signs placed on any portion of the public beach, except regulatory or warning signs;

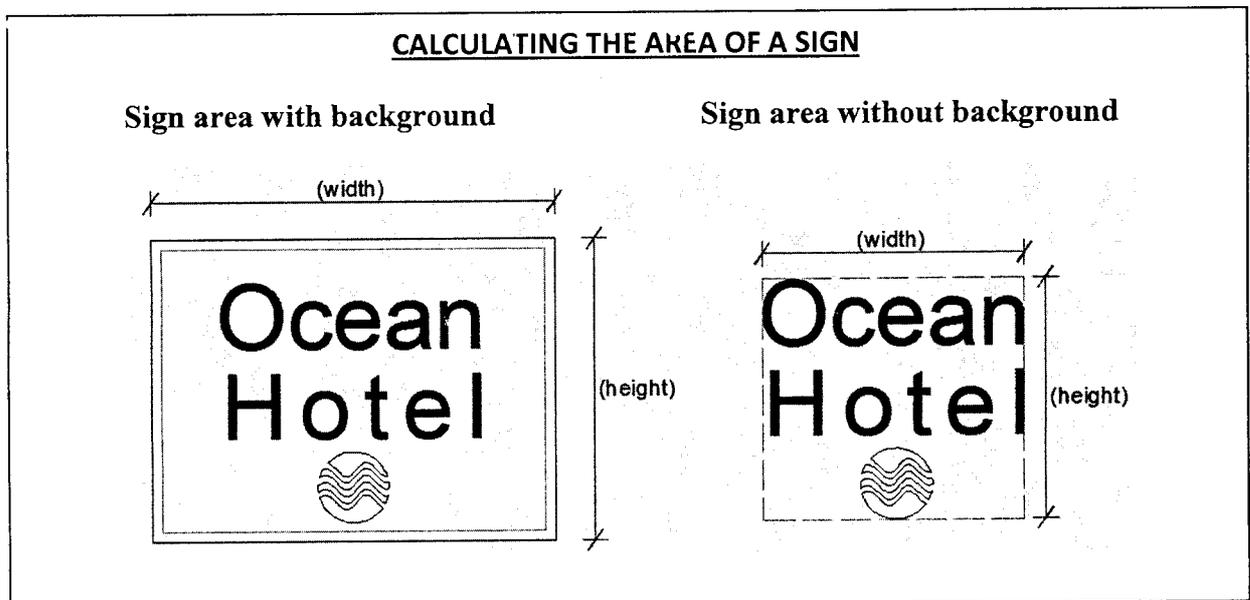
- 277 (13) Signs that do not meet the design, material and fabrication requirements of this article;
- 278 (14) Signs that produce or emit any type of sound or odor;
- 279 (15) Signs that could possibly be mistaken as traffic control signs/devices;
- 280 (16) Signs which no longer advertise or identify a business conducted, a service rendered or product
- 281 sold on the premises;
- 282 (17) Signs with unshielded lighting elements, except neon signs;
- 283 (18) Snipe signs;
- 284 (19) Stationary vehicle or trailer signs;
- 285 (20) Streamers, spinners, and feather signs; and
- 286 ~~(21) Strip of string lighting in or around windows.~~

287
 288 **Sec. 30-506. - General design standards.** Illustrations are shown to provide interpretative assistance. In
 289 the event of a conflict between the text and an illustration, the text shall prevail.

290 **(1) Area and Height Measurements:**

291
 292 (a) **Calculating the area of a sign when the sign contains a defined background:** The sign area is
 293 calculated by determining the total number of square feet, including the surface of the sign,
 294 which may include text, copy, symbols and logos, and any framing, trim or molding that is
 295 definable as the sign background, but not including the supporting structure.

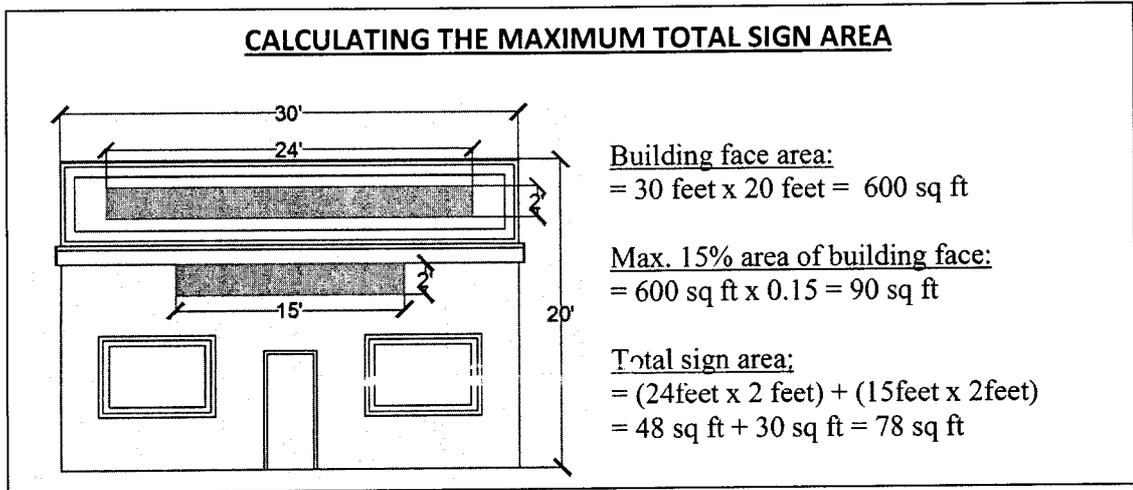
296
 297 (b) **Calculating the area of a sign when the sign does not contain a defined background:**
 298 The sign area is calculated by determining the total number of square feet of the smallest area
 299 of a square or rectangle encompassing all of the text, copy, symbols and logos displayed on a
 300 sign.



301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334

(c) Supplemental Sign Area Regulations:

1. In no case shall the total sign area of all signs attached to the wall, canopy and/or awnings of a building face exceed 15 percent of the area of that building face.

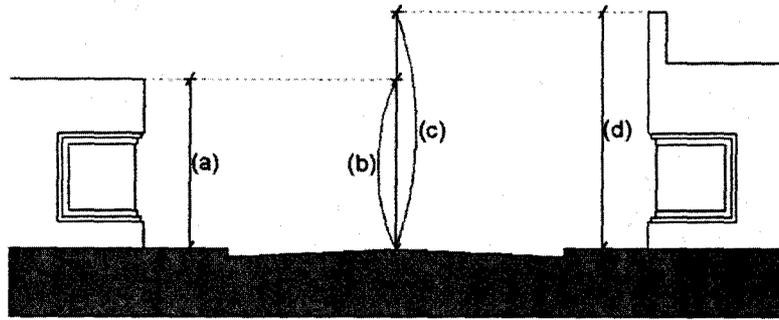


2. In determining the sign area of a double-faced sign, which is a sign with identical faces mounted on opposite and parallel sides of the same sign, only one (1) of the two (2) identical faces shall be used to calculate the sign area.
3. The maximum area of a sign shall also be subject to the regulations as specified in Sec. 30-507, Restrictions and Standards by Sign Type, and Sec. 30-508, Sign Regulations by Zoning District.

(d) Calculating the Area of a Building Face: The area of a building face shall be determined by multiplying the height of the building face by the width of the building face. In order to determine the area of a building face, the height of the building face shall be measured as follows:

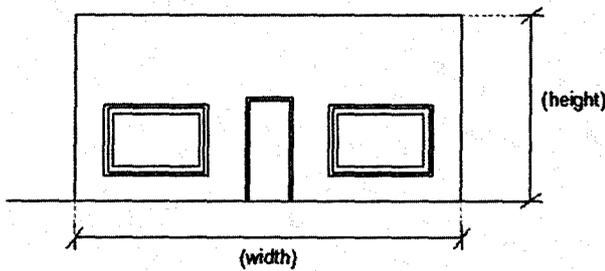
1. In the case of a building with a flat roof, the height of the building face shall be measured from the elevation of the nearest sidewalk or crown of the road, whichever is higher, to either the deck of a flat roof or the top of the parapet wall, whichever is higher.
2. In the case of a building with a sloped roof, the height of the building face shall be measured from the elevation of the nearest sidewalk or crown of the road, whichever is higher, to the midpoint of a sloped roof.

Height of building face

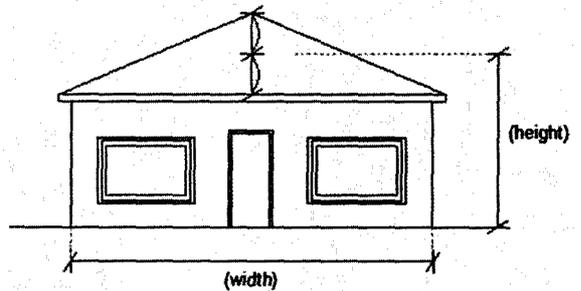


- (a) = the height from the nearest sidewalk to the deck of a flat roof
- (b) = the height from the crown of the road to the deck of a flat roof
- (c) = the height from the crown of the road to the top of the parapet wall
- (d) = the height from the nearest sidewalk to the top of the parapet wall

Area of building face – flat roof



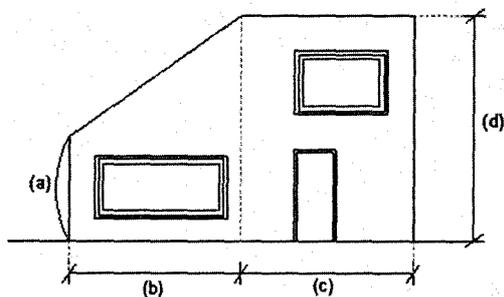
Area of building face – sloped roof



335
336
337
338
339

3. In the case of a building with a combination of flat roof and sloped roofs, the height of the building face shall be measured for each area of roof type as described in d(1) and (2) above, and the area of the building face shall be the combined sum as calculated for each portion of the building face.

Area of building face – combination of flat and sloped roof



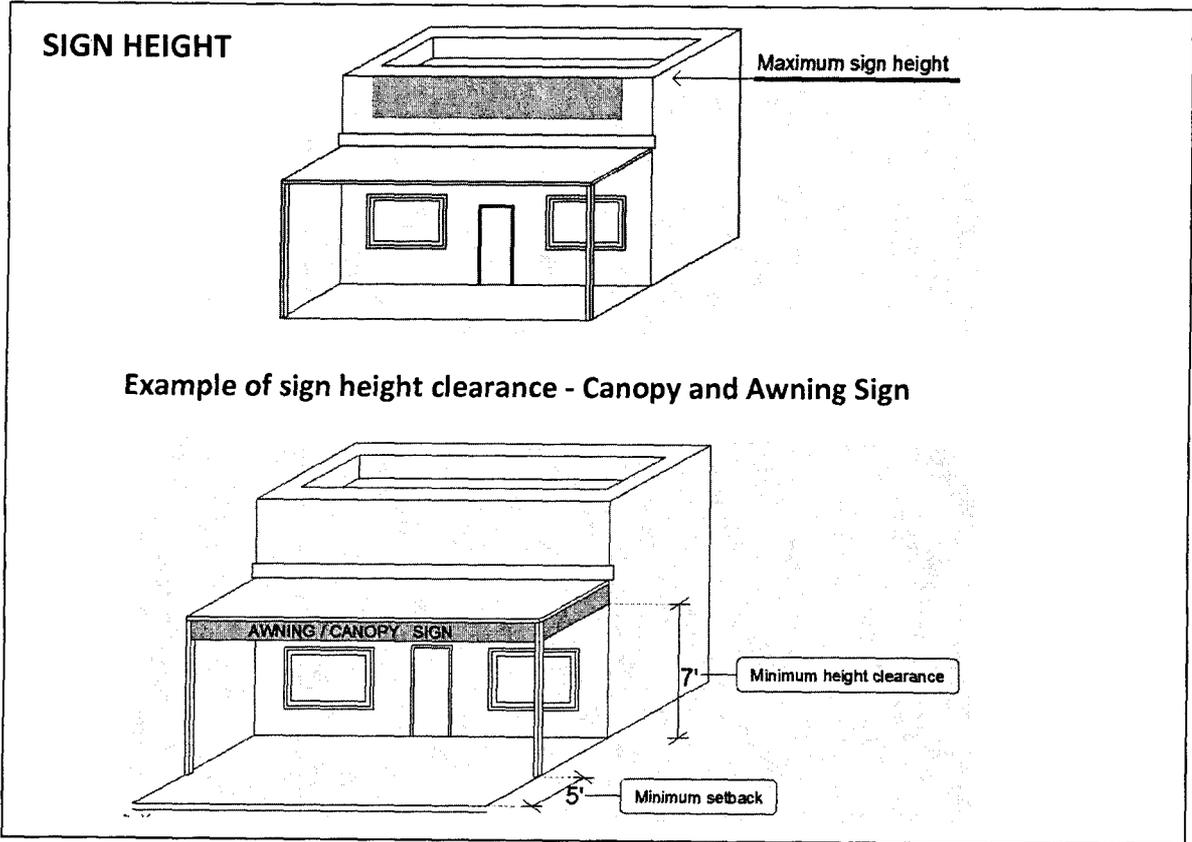
Area of building face:
 $= \{[(a) + (d)] \times (b) \times 1/2\} + [(c) \times (d)]$

340

341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360

(e) Sign Height and Sign Height Clearance:

1. The height of a sign shall be measured from the elevation of the nearest sidewalk or crown of the road, whichever is higher, to the highest point of the sign area.
2. The maximum height of a sign and the minimum height clearance of a sign shall be as specified in Sec. 30-507, Restrictions and Standards by Sign Type, and Sec. 30-508, Sign Regulations by Zoning District.

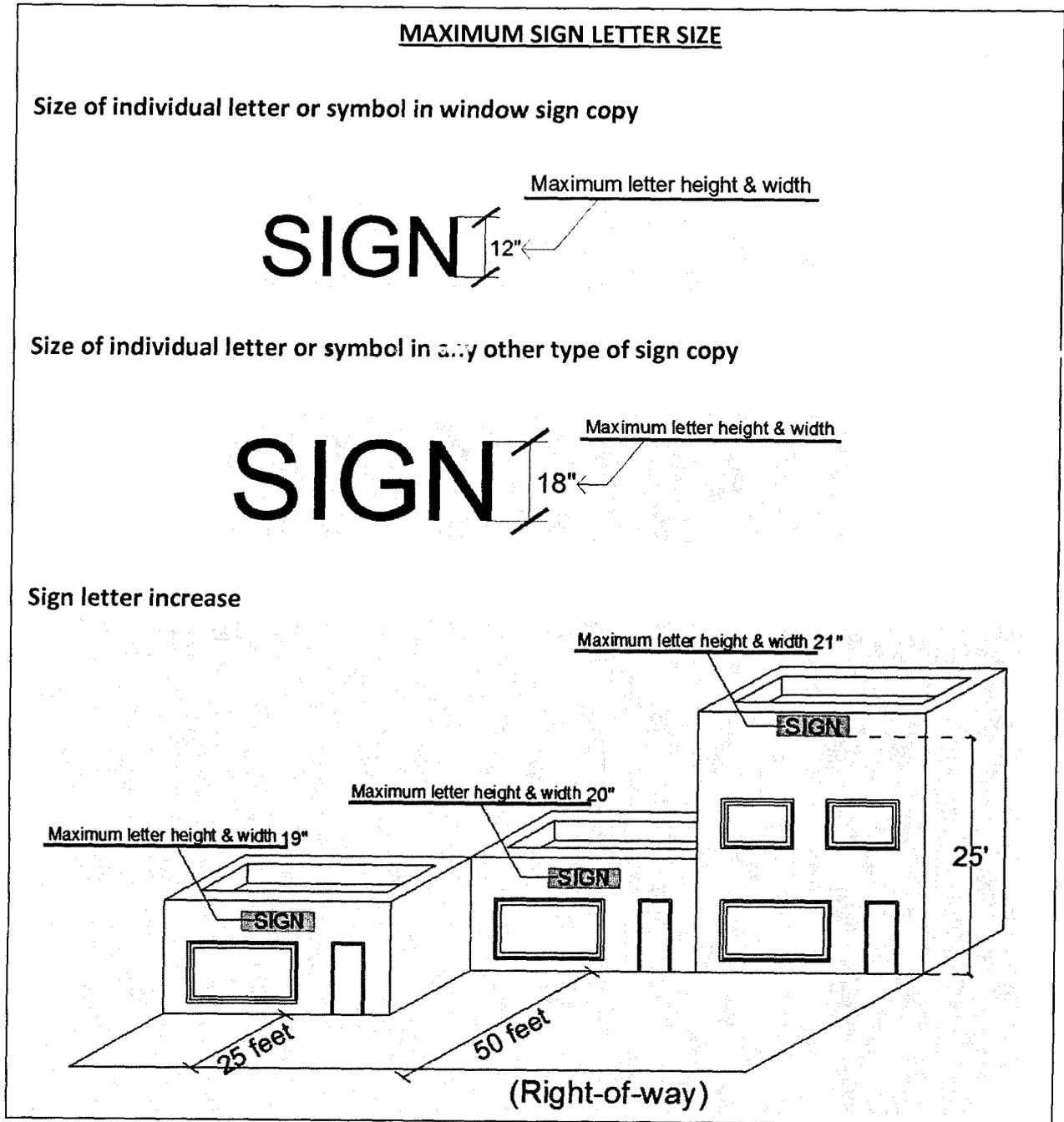


361
362
363
364
365
366
367

(f) Maximum Sign letter size:

1. The size of an individual letter or symbol in any window sign shall not exceed 12 inches in height or width.
2. The size of an individual letter or symbol in any other type of sign copy shall not exceed 18 inches in height or width, except that:
 - a. The sign letter size may be increased by one inch for each 25 feet that the sign is setback from nearest street right-of-way; and

- 368
369
370
- b. The sign letter size may be increased by one inch for each 25 feet above the elevation of the nearest sidewalk or crown of the road, whichever is higher, that the sign is mounted.



- 371
372
- (2)Construction:**
- 373 (a) All permanent signs shall be constructed of durable, weather-resistant and fade-resistant
374 materials. All permanent signs shall be professionally constructed or manufactured.
375 (b) All permanent signs, except those on single-family and duplex lots, shall be installed by a
376 licensed contractor.

- 377 (c) All permanent signs shall be constructed and installed to conform to the requirements of the
378 building code.
- 379 (d) All temporary signs shall be constructed and installed in a workman-like manner, shall not pose
380 any safety hazard, and shall be removed upon the expiration of the temporary sign permit or
381 upon the issuance of a severe weather warning.
- 382 (e) A separate electrical permit is required for any illuminated sign.
- 383 (f) Stenciled signs are permitted for use as permanent signs.
- 384 (g) Professionally painted signs that are applied directly to the wall of a building face are permitted.

385 **(3)Colors:**

- 386 (a) No florescent, phosphorescent, iridescent or reflective colors or paint may be used in any sign,
387 except governmental informational, directional, traffic control or warning signs.
- 388 (b) Letters and numerals contained within the sign area of each individual sign shall be limited to
389 no more than three (3) colors.
- 390 (c) White shall not be counted as a color when used as the background of the sign.
- 391 (d) All permanent signs on the same building shall use the same color scheme.
- 392 (e) Sign color(s) shall be compatible with the color(s) of any building or wall upon which the sign is
393 mounted.
- 394 (f) Any freestanding sign shall utilize the same color scheme of the building to which it is related.
- 395 (g) The actual color samples to be used, as well as written authority from the landlord or agent
396 (unless applicant is owner) to use the submitted colors and layout, must accompany all permit
397 applications.

398 **(4)Layout:**

- 399 (a) The size, location, and style of permanent signs shall be compatible with the buildings or
400 locations where they are placed
- 401 (b) Multiple signs of the same type for the same business shall be consistent in terms of location,
402 style, size and letter size.
- 403 (c) New hotel, motel, business, apartment buildings, condominiums and institutional buildings shall
404 be designed to incorporate locations for wall signage meeting the requirements of these
405 regulations as part of the overall design of the building.

406 **(5)Items of information:** The items of identification on permanent signs for the uses listed below shall
407 be limited to the following:

- 408 (a) Hotels and motels (no more than three (3) of the following items of information on any one (1)
409 permanent sign):
- 410 a. Hotel or motel name, type of accommodation (i.e. suites, efficiencies, apartments,
411 bed and breakfast, resort or spa), telephone number, chain and travel club
412 affiliations.
- 413
- 414 b. Address and vacancy/no vacancy information shall be permitted, in addition to the
415 three (3) allowable items.

- 416 (b) Retail, office and service businesses (no more than a cumulative total of three (3) of the
417 following items of information on any one permanent sign): Business name, type of business,
418 address, telephone number and up to two (2) of the products or services offered.
419
- 420 (c) Restaurants and lounges (no more than a cumulative total of three (3) of the following items of
421 information on any one (1) permanent sign): Business name, type of business, type of food or
422 beverage served, address, and telephone number.
423
- 424 (d) Apartment buildings and condominiums (no more than a cumulative total of three (3) of the
425 following items of information on any one (1) permanent sign): Name of complex, telephone
426 number, and type of accommodations. Address and rental availability information shall be
427 permitted, in addition to the two (2) allowable items.

428 **(6)Substitution clause:** It is not the purpose of this article to regulate or control the copy, content or
429 viewpoint of signs. Nor is it the intent of this article to afford greater protection to commercial speech
430 than to noncommercial speech. Any sign, display or device allowed under this article may contain, in lieu
431 of any other copy, any otherwise lawful noncommercial message that complies with all other
432 requirements of this article. The noncommercial message may occupy the entire sign area or any
433 portion thereof, and may substitute for or be combined with the commercial message. The sign message
434 may be changed from commercial to noncommercial, or from one noncommercial message to another,
435 as frequently as desired by the sign's owner, provided that the sign is not prohibited and the sign
436 continues to comply with all requirements of this article.

437 **(7)Sign illumination:**

- 438
- 439 (a) Illuminated signs may be indirectly or internally illuminated.
- 440 (b) All lighting elements or bulbs must be fully recessed or shielded within opaque or translucent
441 covers.
- 442 (c) Wooden signs shall not be internally illuminated nor have electrical fixtures attached directly to
443 the sign panel.
- 444 (d) The intensity of illumination shall be limited to no more than 90 foot lamberts or ten foot-
445 candles within residential districts or if visible within 200 feet from first floor residential
446 property.
- 447 (e) The intensity of illumination shall be limited to no more than 150 foot lamberts or 25 foot-
448 candles if visible within 200 to 500 feet from first floor residential property.
- 449 (f) The intensity of illumination shall be limited to a maximum of 250 foot lamberts or 50 foot-
450 candles within nonresidential districts.
- 451 (g) All transformer boxes, outlets and conduits relating to sign illumination shall be screened from
452 exterior view.
- 453 (h) A separate electrical permit is required for any sign illumination.
- 454 (i) Architectural lighting designed to illuminate building walls, architectural features or landscaping
455 is a not regulated as a sign.

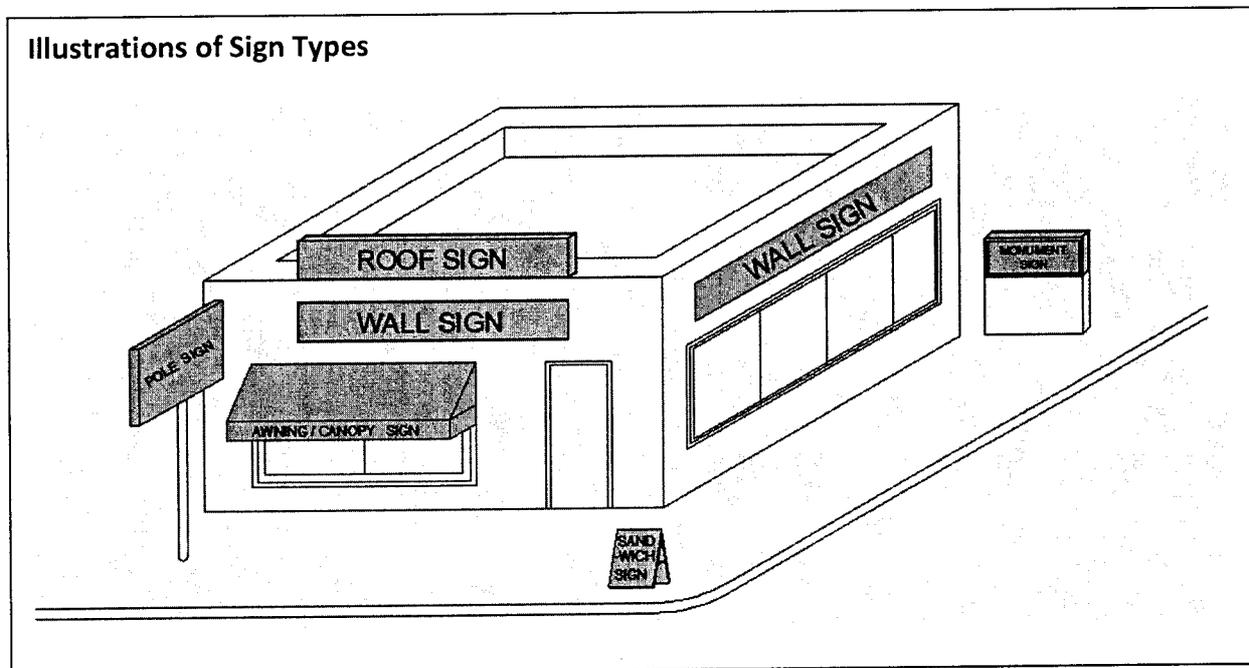
456 **(8) Prohibiting Location of Signs in Sight Visibility Triangles and in Utility or Drainage Easements:** No
457 sign shall be located within any utility or drainage easement, or within any sight visibility triangle or safe
458 recovery area for a street.

459 **(9) Compliance with Section 17-9 Code of Ordinances Regulations:**

- 460 (a) All signs must comply with all other Town Code Regulations and permitting requirements.
461 (b) Any sign that extends over or is located within the public right-of-way must comply with Section
462 17-9 of the Code of Ordinances and must obtain a right-of-way encroachment permit approval
463 prior to applying for a sign permit.
464 (c) Any awning or canopy which extends over the right-of-way must comply with the requirements
465 of Section 30-326 of the Town Code.

467 **Sec. 30-507. - Restrictions and Standards by Sign Type.** Illustrations are shown to provide interpretative
468 assistance. In the event of a conflict between the text and an illustration, the text shall prevail.

469 This section is intended to be used in conjunction with all of the applicable sign regulations and
470 standards provided in this Article VIII- Sign Regulations.



471

472 **(1) Automated Teller Machine (ATM) Sign:**

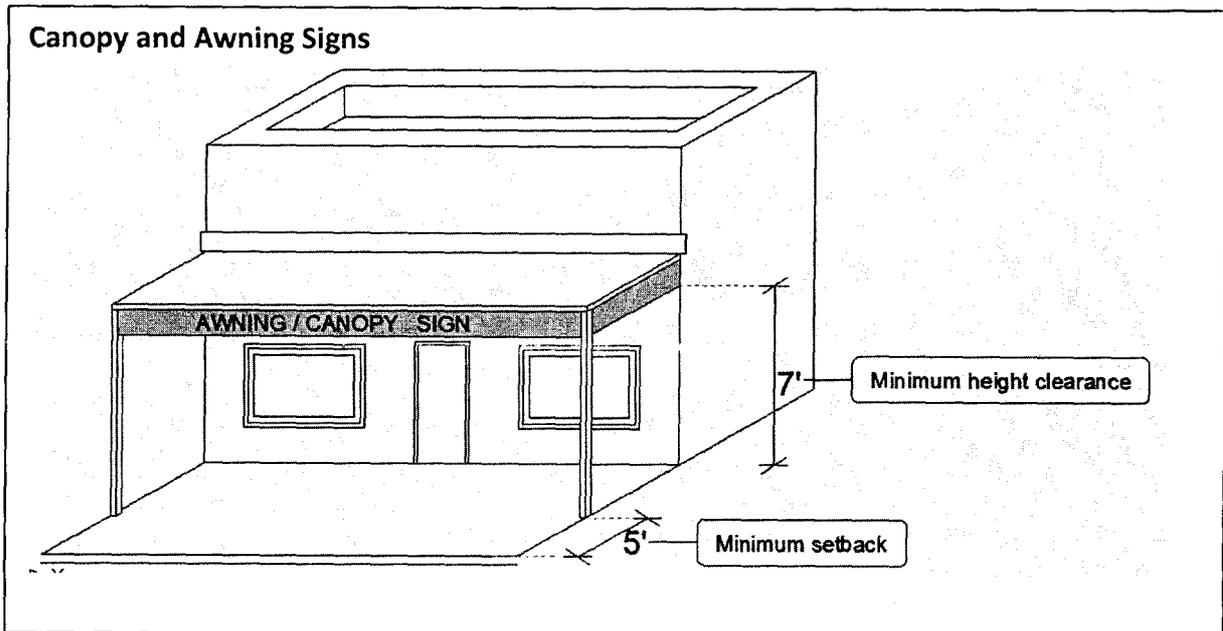
- 473 (a) When an ATM sign is attached to an ATM device and where such ATM device is located outside
474 of a building:
475 1. One (1) identification sign shall be allowed on each ATM device which sign must be
476 architecturally integrated into the ATM device and shall not exceed two (2) square feet in
477 area;
478 2. The ATM sign height shall not extend more than two (2) feet above the highest point of the
479 ATM device;

- 480 3. Advertising and instruction signs may be decals, but must be integrated into the design of
 481 the ATM device and cannot exceed one (1) square foot in area; and
 482 4. Shall be setback at least five (5) feet from any right-of-way or property line.
 483 (b) When an ATM sign is not attached to an ATM device, an ATM sign shall comply with the
 484 standards of the applicable sign type as provided in this Article. For example, a neon ATM sign
 485 located in a window shall comply with the window neon sign standards of this Article VIII- Sign
 486 Regulations.

487
 488 **(2)Awning sign:** See "canopy and awning sign."

489
 490 **(3)Canopy and awning sign:**

- 491 (a) Signs placed upon awnings may consist of fabric, or thermally applied letters, the copy of which
 492 shall not exceed the permitted wall sign area;
 493 (b) Internally illuminated, transparent or translucent canopies and awnings used as signs are
 494 prohibited;
 495 (c) Any canopy or awning must be fire-proofed;
 496 (d) Any canopy or awning shall have at least seven feet of clearance above the sidewalk;
 497 (e) Any canopy or awning shall be setback at least five feet from the edge of pavement of the
 498 adjoining street; and
 499 (f) Any canopy or awning must comply with Section 30-326 of the Code of Ordinances prior to
 500 applying for a sign permit.
 501



502 **(4)Development:** See "new development and redevelopment."

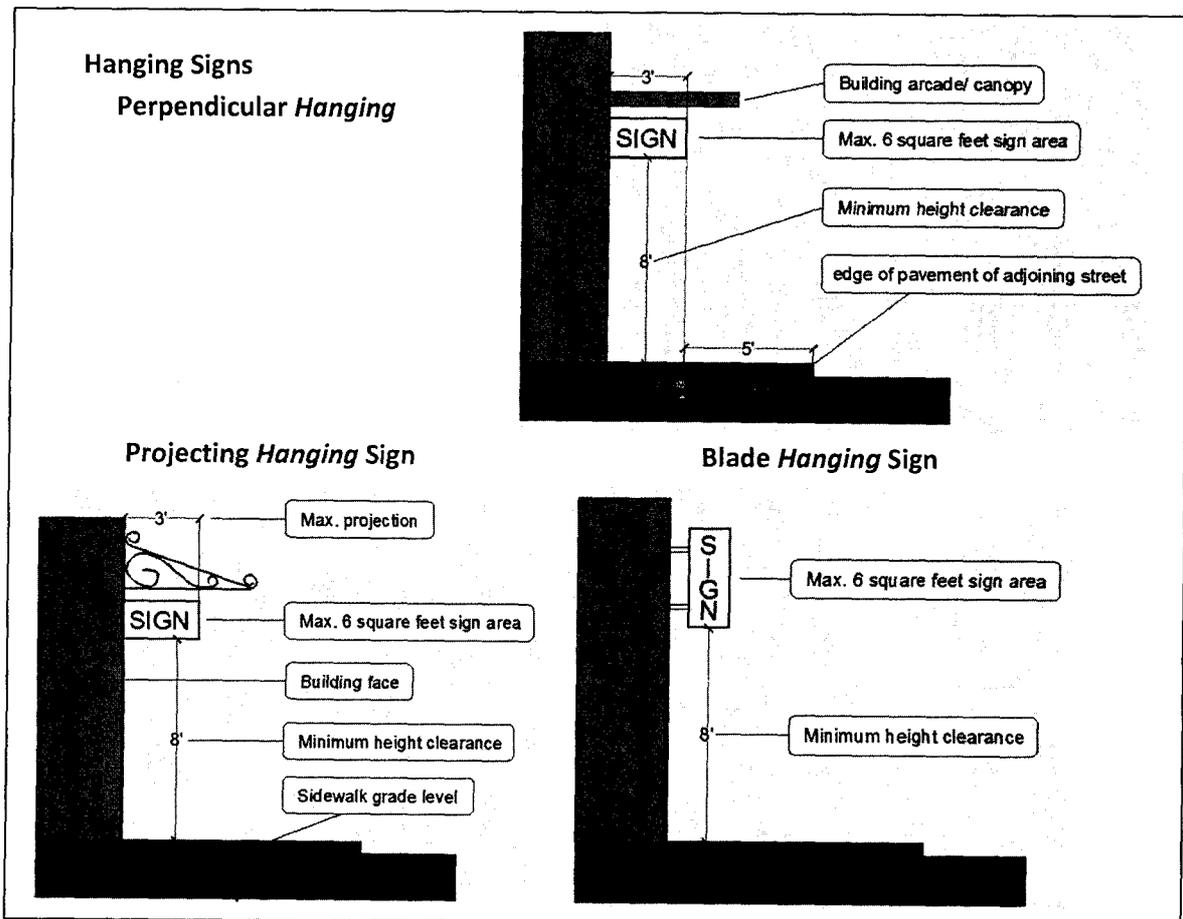
503 **(5) Directory sign:**

- 504 (a) A directory sign may use changeable copy;
 505 (b) Free-standing directory signs erected after March 27, 2001 shall not exceed six (6) feet in
 506 height, including the support structure;

- 507 (c) Any directory sign shall not exceed 32 square feet in size; and
- 508 (d) A freestanding directory sign shall be set back at least five (5) feet from any street right-of-way.
- 509

510 **(6) Hanging sign:**

- 511 (a) One (1) hanging sign is permitted for each business use located in a multitenant building;
- 512 (b) One (1) hanging sign is permitted for each nonresidential use in a freestanding building;
- 513 (c) A hanging sign may be attached to any portion of a building, however, in no case shall the
- 514 hanging sign project greater than three (3) feet from the building face that it is attached
- 515 perpendicular to;
- 516 (d) A hanging sign that extends over a public sidewalk shall have at least eight (8) feet of vertical
- 517 clearance above the sidewalk and must comply with Section 17-9 of the Code of Ordinances and
- 518 obtain a right-of-way encroachment permit approval prior to applying for a sign permit;
- 519 (e) Any hanging sign shall be setback at least five (5) feet from the edge of pavement of the
- 520 adjoining street;
- 521 (f) A hanging sign shall not be located in such a manner that the highest point of the sign area
- 522 exceeds 18 feet as measured from the nearest sidewalk or crown of the road, whichever is
- 523 higher;
- 524 (g) A hanging sign that is double-faced shall have two identical sign faces;
- 525 (h) The sign area of a hanging sign shall be a maximum of six (6) square feet; and
- 526 (i) Perpendicular signs, projecting signs, and blade signs are subject to the regulations for hanging
- 527 signs.



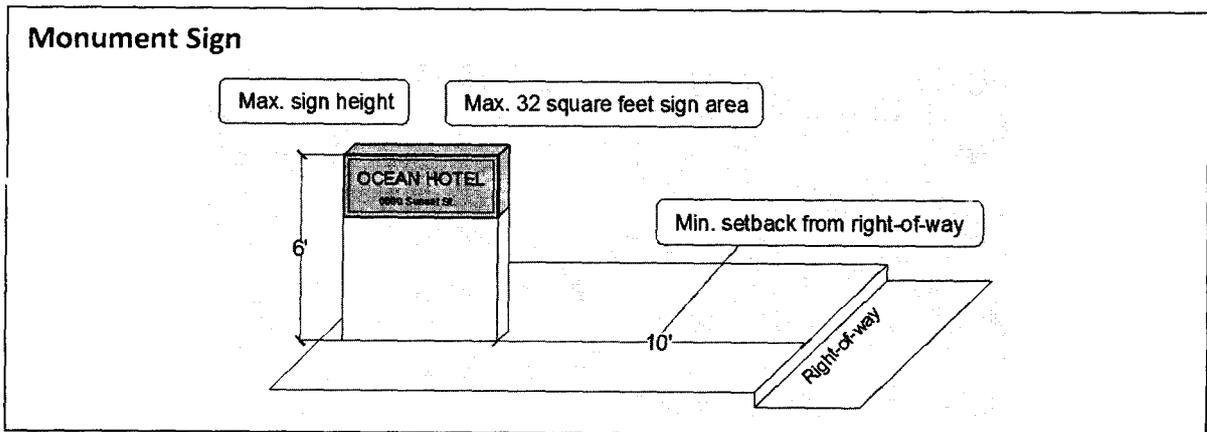
528 **(7)Menu Board sign:**

- 529 (a) A menu board sign may be placed on a door, wall or column outside of a restaurant;
- 530 (b) Only one menu board sign per licensed restaurant per street frontage is allowed;
- 531 (c) A menu board may only contain a copy of the menu or daily specials;
- 532 (d) If a paper menu is used, it must be mounted under a protective glass or plastic cover;
- 533 (e) A menu board sign shall not exceed six (6) square feet in size;
- 534 (f) A menu board sign may be attached to a restaurant hostess stand. A menu board sign that is
- 535 attached to a hostess stand shall not exceed two (2) square feet in area and no portion of the
- 536 menu board sign area shall extend beyond the height and width of the hostess stand that it is
- 537 attached to; and
- 538 (g) Menu board signs may not be sandwich signs.

539
540

541 **(8)Monument sign:**

- 542 (a) Only one (1) monument sign that is single sided or one monument sign that is two (2) sided, is
- 543 permitted per street frontage, and only when located on a plot with 200 feet or greater of
- 544 continuous frontage on the same street;
- 545 (b) A monument sign shall only list the name and address of the development or business;
- 546 (c) A monument sign shall not exceed six (6) feet in height or 32 square feet in sign area and shall
- 547 be setback at least ten (10) feet from any public street right-of-way;
- 548 (d) No monument sign may be placed within 30 feet of a street intersection or in any location that
- 549 would obstruct cross-visibility at a driveway intersection or would obstruct cross-visibility for
- 550 back-out parking; and
- 551 (e) A monument sign shall be perpendicular to the ground and may be perpendicular or parallel to
- 552 the primary building facade.



553
554 **(9)Neon signs:** Neon signs shall only be permitted in the B-1-A and B-1 zoning districts, subject to the
555 following restrictions:

- 556 (a) A business shall be allowed to have up to a maximum of three (3) neon signs per street
- 557 frontage, one of which may be an exterior sign;
- 558 (b) A neon sign that is attached to or placed within ten (10) feet of the inside of a window and
- 559 oriented toward the window shall be counted toward the total number of window signs

- 560 permitted by this Article and shall be subject to the regulations for window signs as set forth
561 herein;
- 562 (c) An exterior neon sign may only be used for the purpose of identifying the business or the
563 business' logo;
 - 564 (d) The depiction of any part of the human body is prohibited; and
 - 565 (e) Neon signs may remain illuminated only during the business hours of the business, or 10:00
566 p.m., whichever is later,
 - 567 (f) **Window neon signs** shall also be subject to the following regulations:
 - 568 a. No neon window sign may exceed four (4) square feet unless it displays solely the name
569 of the business;
 - 570 b. The total area of the neon window signs shall not exceed the lesser of 12 square feet or
571 25 percent of the area of the total window space on the street frontage;

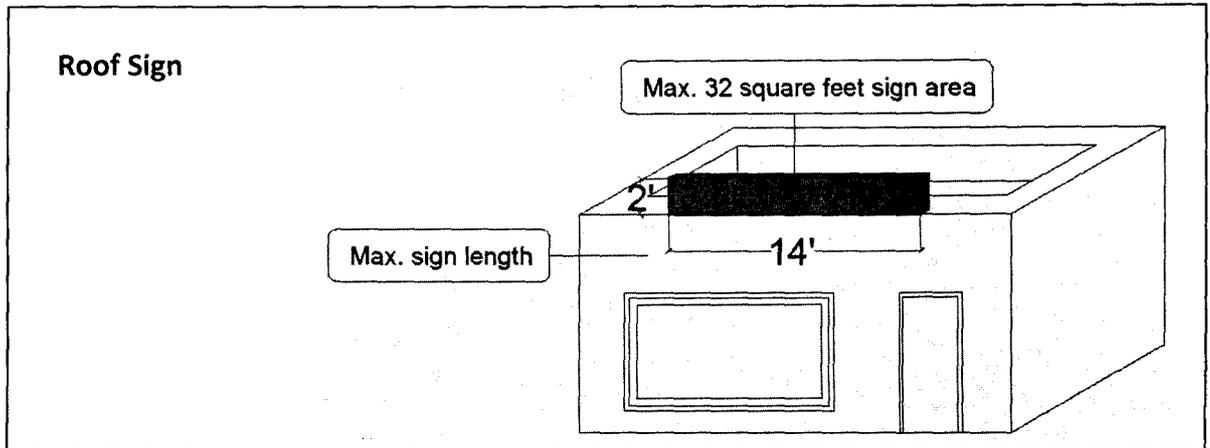
572 **(10) Pole sign or Pylon sign:**

- 573 (a) Any new pole or pylon sign permitted within the RM-25 and RM 50 zoning districts, shall meet
574 the criteria for pole or pylon signs as provided below:
 - 575 1. The sign area of a pole or pylon sign shall not exceed 32 square feet in size;
 - 576 2. There shall be no more than one pole or pylon sign per street frontage per property;
 - 577 3. All pole and pylon signs shall be set back at least five(5) feet from any property line or right-
578 of-way;
 - 579 4. The setback required for a pole or pylon sign shall be measured from whichever portion of
580 the pole, pylon, or sign area is closest to the property line;
 - 581 5. Any pole sign located within 30 feet of a street intersection or within 15 feet of the
582 intersection of a parking space and a driveway or street shall maintain seven (7) feet of
583 clearance between the ground and the bottom of the sign area;
 - 584 6. No pylon sign may be placed within 30 feet of a street intersection or in any location that
585 would obstruct cross-visibility at a driveway intersection or would obstruct cross-visibility
586 for back-out parking;
 - 587 7. The support poles of pole signs shall not exceed a width or diameter of 18 inches;
 - 588 8. Pylon signs shall be limited to one (1) pylon with a width or diameter not to exceed four (4)
589 feet; and
 - 590 9. The height of the top of a pole or pylon sign shall not exceed 15 feet above the crown of the
591 nearest street.
- 592 (b) Replacement of legal, nonconforming pole and pylon signs in any district shall be in
593 conformance with Section 30-510, Nonconforming signs.

594 **(11) Roof sign:**

- 595 (a) Roof signs shall not be permitted if either wall or awning signs can be placed upon a building;
- 596 (b) New development and redevelopment shall not be permitted to erect or maintain roof signs. No
597 roof signs are permitted on any property with a pole or pylon sign;
- 598 (c) No roof sign shall exceed 32 square feet in size, four (4) feet in height vertically or 14 feet in
599 length;
- 600 (d) Roof signs shall be mounted on the parapet wall of a flat roof or on a solid supporting panel on a
601 sloped roof;

- 602 (e) Roof signs shall not be mounted on visible poles or brackets; and
 603 (f) Multiple roof signs on the same building shall be the same design, size, shape and color.



604
 605
 606 **(12) Sandwich sign:** See Valet Parking and/or Paid Private Parking Sandwich sign standards.
 607

608 **(13) Subdivision and residential development identification sign:**

- 609 (a) Subdivision and residential development identification signs shall not exceed six (6) feet in
 610 height or 32 square feet in sign area per sign face;
 611 (b) One (1) two-face sign may be permitted in the median of a divided entrance or one (1) single-
 612 face sign shall be permitted on each side of a street entrance to a named residential
 613 neighborhood or of a street-type driveway entrance to a multi-family development;
 614 (c) The sign shall not be located within any utility or drainage easements; and
 615 (d) All proposed subdivision and residential development identification signs shall be subject to site
 616 plan approval pursuant to article IV of the Land Development Code.
 617

618 **(14) Strip, string or rope lighting:**

- 619 (a) Must be between 2700 and 3500 Kelvin temperature;
 620 (b) Shall not exceed two (2) inches in width; and
 621 (c) Strobing, flashing blinking, chasing and/or changing color is prohibited.
 622

623 **~~(14)~~(15) Vacancy/no vacancy /rental availability sign:**

- 624 (a) A vacancy/no vacancy /rental availability sign shall not exceed two (2) square feet in sign area;
 625 and
 626 (b) A vacancy/ no vacancy /rental availability sign may be directly or indirectly illuminated and may
 627 contain changeable copy.
 628

629 **~~(15)~~(16) Valet Parking or Paid Private Parking Sandwich sign:**

- 630 (a) A sandwich sign may only be utilized for a licensed valet establishment and/or for paid private
 631 parking; and
 632 (b) Sandwich signs shall also comply with the following:
 633 1. The sign and letters of a sandwich sign posted for a licensed valet establishment and for
 634 paid private parking shall be manufactured;

- 635 2. Handwritten signs are prohibited;
- 636 3. The sign shall be constructed of weather resistant materials and shall not contain, foil,
- 637 mirrors, bare metal or other reflective materials that could create hazardous conditions to
- 638 motorists;
- 639 4. The sign shall not contain lights of any kind or streamers, balloons, ribbons, pennants, wind
- 640 socks or other similar devises designed to move in the wind;
- 641 5. The sign shall be placed on private property only. If the sign is placed in an area open to
- 642 pedestrians, the sign shall be located such that a clear pedestrian walkway or path of at
- 643 least four (4) feet is maintained, free of obstruction;
- 644 6. The sign may be erected only during the hours of operation of the establishment when the
- 645 business or service is open to the public and shall be removed at the end of the business
- 646 day;
- 647 7. The sign shall be removed when winds are strong enough to move the sign; and
- 648 8. The sign panels of a sandwich sign shall not exceed 28 inches by 36 inches in size.

649 **~~(16)~~ (17) Wall sign:**

- 650 (a) In districts where permitted, each principal building shall be allowed one (1) wall sign on each
- 651 wall facing a public vehicular use area;
- 652 (b) A commercial building located within the B-1-A or B-1 zoning district that has a building wall
- 653 facing a private vehicular use area located on a side of the building other than its primary lot
- 654 frontage, may be allowed up to three additional wall signs ("end signs") (no more than one per
- 655 tenant) provided the building wall is not facing a single or multifamily residential use. End signs
- 656 must be for uses within the building. The cumulative total of the end signs shall not exceed 16
- 657 square feet which sign area shall not be included in the total building signage.
- 658 (c) A single tenant commercial use building located in the B-1-A or B-1 zoning districts may combine
- 659 a permitted wall sign and building identification sign into a single wall sign not exceeding 48
- 660 square feet in sign area;
- 661 (d) All wall signs shall be within six (6) inches off the wall or façade upon which it is mounted.
- 662 (e) The wall sign shall be an integral part of the façade composition and be consistent with the
- 663 building's architecture;
- 664 (f) Consistency of wall signs in a single building is encouraged;
- 665 (g) The building wall may serve as the sign background; and
- 666 (h) A building wall sign may be front lit, back lit, or internally lit.

667

668 **~~(17)~~ (18) Window sign:**

- 669 (a) Window signs may be applied to the interior surface of glass only;
- 670 (b) No more than three (3) window signs of any type shall be displayed in any single window;
- 671 (c) A bulletin board, displayed inside a window, and upon which notices, advertisements, specials,
- 672 listings and the like are posted, shall be considered a single window sign;
- 673 (d) A window sign shall not exceed 15 square feet in sign area;
- 674 (e) Window signs shall not obstruct more than 25 percent of the total area of the window within
- 675 which the window signage is placed;
- 676 (f) Merchandise in display windows shall not be considered window signs;

- 677 (g) Customary price tags and labels not exceeding 15 square inches each in size on merchandise in
- 678 display windows shall not be considered window signs;
- 679 ~~(h) Strip or string lighting placed in or around windows is a prohibited window sign;~~
- 680 (ih) Neon window signs shall be counted toward the total number, square feet and total area
- 681 permitted for window signs, and subject to the regulations for window signs as provided herein;
- 682 and
- 683 (jj) When located in the CF or P zoning district, window signs shall be restricted to one (1) window
- 684 sign per street frontage, and shall be placed in first floor windows only.
- 685

686 **Sec. 30-508. - Sign regulations by zoning district.**

687 **(1)RS-5 and RD-10 districts.** Only the following types of signs are permitted within the RS-5 and RD-10

688 zoning districts, subject to the limitations and requirements contained in the definitions and restrictions

689 and standards by sign type and the general design standards sections of these regulations, and subject

690 to the additional limitations stated below:

691 (a) Private informational, directional and traffic control signs.

692 (b) Name and address signs:

- 693 1. One (1) resident name sign per dwelling unit, including any exempt name sign, to be placed
- 694 on the building and not to exceed two (2) square feet in sign area.
- 695 2. One (1) address sign per address, including any exempt address sign, shall be placed on the
- 696 building, fence, wall or mail box, be visible from the street and shall not exceed two (2)
- 697 square feet in sign area.

698

699 (c) Subdivision and residential development identification signs: Only if location and other aspects

700 of such signs have been previously approved by the Town Commission pursuant to site plan

701 approval procedures.

702

703 (d) In addition, no more than two (2) of the following temporary signs, including any exempt

704 temporary signs, shall be permitted on any single plot at the same time:

- 705 1. *Temporary contractor signs:* One (1) sign per plot to be set back at least five (5) feet from
- 706 any right-of-way or property line.
- 707
- 708 2. *Temporary real estate signs:* To be set back at least five (5) feet from any right-of-way or
- 709 property line.
- 710
- 711 3. *Temporary special event signs:* Two signs per neighborhood to be set back at least five (5)
- 712 feet from any right-of-way or property line.
- 713

714 **(2)RM-25 and RM-50 districts.** Single-family and duplex residences and plots located in the RM-25

715 district shall be subject to the sign regulations as listed for the RS-5 and RD-10 districts listed above.

716 Only the following types of signs are permitted within the RM-25 and RM-50 districts, subject to the

717 limitations and requirements contained in the definitions and restrictions and standards by sign type

718 and the general design standards sections of these regulations, and subject to the additional limitations
719 stated below:

720 (a) Private informational, wayfinding, directional and traffic control signs.

721 (b) Name and address signs:

722 1. One (1) resident name sign per dwelling unit, including any exempt name sign, to be placed
723 on the dwelling unit and not to exceed two (2) square feet in sign area.

724 2. One (1) occupant address sign per address, including any exempt address sign, to be placed
725 on the building or mail box and not to exceed two (2) square feet in sign area.

726 3. One (1) building address sign per building to be placed on the building and not to exceed a
727 total of six (6) square feet of sign area.

728 4. Every building shall display an address sign that is clearly visible from the street. Buildings
729 that have rear door access to an alley or parking lot shall also display an address sign that is
730 clearly visible from the alley or parking lot.

731 (c) Subdivision and residential development identification signs: Only if the location and other
732 aspects of such signs have been previously approved by the Town Commission pursuant to site
733 plan approval procedures.

734 (d) Vacancy/no vacancy signs/rental availability: One (1) sign per licensed motel or hotel, or multi-
735 family residential use not exceeding two (2) square feet of sign area.

736 (e) In addition, each multi-family or non-residential use:

737 1. May display no more than two (2) of the following permanent signs, with a combined total
738 sign area of not more than 32 square feet, per street frontage, and the total sign area of all
739 signs attached to the wall, canopy and/or awnings of a building face shall not exceed 15
740 percent of the area of the building facade.

741 2. If a hotel or motel takes over an adjoining hotel or motel, then the combined hotel or motel
742 is entitled to 16 additional square feet of separate wall or awning sign area; the existing
743 signs shall not be increased in size by this additional footage.

744 a. *Building or development identification signs:* One (1) sign per building per street
745 frontage, with a sign height no greater than 35 feet.

746 b. *Canopy or awning signs:* With a sign height no greater than 18 feet.

747 c. *Hanging sign:* One (1) sign per building per street frontage, with a sign height no greater
748 than 18 feet.

749 d. *Changeable copy signs:* One (1) sign per street frontage, with a sign height no greater
750 than 18 feet.

751 e. *Monument signs:* One (1) sign with one (1) or two (2) faces per street frontage, only on a
752 plot with 200 or more feet of continuous frontage on the same street.

753 f. *Pole or pylon signs*: Limited to hotels, motels, apartment buildings and condominiums
754 only and to one (1) sign per street frontage per property.

755 g. *Wall signs*: With a sign height no greater than 35 feet.

756 (f) In addition, no more than two (2) of the following temporary signs, including any exempt
757 temporary signs, shall be permitted on any single business or plot at the same time:

758 1. *Temporary announcing sign*: One (1) sign per plot to be set back at least five (5) feet from
759 any right-of-way or property line.

760 2. *Temporary contractor signs*: One (1) sign per plot to be set back at least five (5) feet from
761 any right-of-way or property line.

762 3. *Temporary portable identification signs for a use adjoining a roadway under construction*:
763 One (1) sign per frontage of a street under construction, not exceeding 16 square feet in
764 sign area, to be posted adjacent to the road right-of-way during the period of road
765 construction.

766 4. *Temporary real estate signs*: To be set back at least five (5) feet from any right-of-way or
767 property line.

768 5. *Temporary special event signs*: Two (2) signs per block to be set back at least five (5) feet
769 from any right-of-way or property line.

770 **NOTE: Items in #3 below have been alphabetized, reordered and renumbered to correct formatting.**

771 **(3)B-1 and B-1-A districts.** Only the following types of signs are permitted within the B1, and B1A
772 districts, subject to the limitations and requirements contained in the definitions and restrictions and
773 standards by sign type and the general design standards sections of these regulations, and subject to the
774 additional limitations stated below:

775 (a) *Building or development identification signs*: One (1) sign per building per street frontage with a
776 sign area of no more than 32 square feet and with a sign height no greater than 35 feet.

777 ~~(b) Private informational, wayfinding, directional and traffic control signs.~~

778 (b) *Menu board sign*: One (1) sign per licensed restaurant per street frontage.

779 (c) *Name and address signs*:

780 1. One (1) occupant name sign per dwelling unit or business, excluding any exempt rear door
781 name sign, to be placed on the dwelling unit or business and not to exceed two (2) square
782 feet in sign area;

783 2. One (1) occupant address sign per address, excluding any exempt rear door address sign, to
784 be placed on the building or mail box and not to exceed two (2) square feet in sign area;

785 3. One (1) building address sign per building to be placed on the building and not to exceed a
786 total of six (6) square feet of sign area. Every building, and every business with a separate,

787 ground floor, street-side entrance, shall display an address sign that is clearly visible from
788 the street.
789 4. Buildings that have rear door access to an alley or parking lot shall also display an address
790 sign that is clearly visible from the alley or parking lot.
791

792 (d) Private informational, wayfinding, directional and traffic control signs.

793 (e) Strip, string or rope lighting: one strip or row of lighting surrounding the interior of a window and
794 its architectural features.

795 (f) Window signs: No more than three (3) window signs per window, placed in first floor windows; in
796 second floor windows, only one (1) window sign for each business which has its entrance from
797 the second floor or a stairway only.

798 (g) In addition, each office building, separate storefront business, or other non-residential use:

799 1. May display no more than two (2) of the following permanent signs, with a combined total
800 sign area of not more than 32 square feet per street frontage, and the total sign area of all
801 signs attached to the wall, canopy and/or awnings of a building shall not exceed 15 percent
802 of the area of the building facade, except as otherwise permitted for wall signs as provided
803 herein.

804 2. Multiple businesses occupying a single storefront bay must share the permitted total
805 number and sign area of signs.

806 3. If a store front business takes over the entire adjoining store front space vacated by another
807 business, then that new business is entitled to either 16 additional square feet of wall or
808 awning sign area, or if the store front business is taking over an entire adjoining store front
809 space vacated by another business, the new business may use the existing roof signage that
810 the old business used provided that the structure of the roof sign is not altered.

811 a. *Canopy or awning signs:* With a sign height no greater than 18 feet.
812

813 b. *Changeable copy signs:* With a sign height no greater than 18 feet.

814 c. *Directory signs:* One (1) sign per street frontage for a multi-tenant office, multi-tenant
815 retail or governmental building only.

816 d. *Hanging signs:* With a sign height no greater than 18 feet.

817 e. *Monument signs:* One (1) sign with one (1) or two (2) faces per street frontage, only on a
818 plot with 200 or more feet of continuous frontage on the same street.

819 f. *Roof signs:* Only when wall or awning signs are not feasible, and not if a legal
820 nonconforming pole or pylon sign exists on the same property.

821 g. *Wall signs:*

822 1. With a sign height no greater than 35 feet.

- 823 2. A commercial building located within the B-1-A or B-1 zoning district that has a
824 building wall facing a private vehicular use area located on a side of the building
825 other than its primary lot frontage, may be allowed up to three (3) additional wall
826 signs ("end signs") (no more than one per tenant) provided the building wall is not
827 facing a single or multifamily residential use. End Signs must be for uses within the
828 building. The cumulative total of the End Signs shall not exceed 16 square feet
829 which sign area shall not be included in the total building signage.
- 830 3. A single tenant building may combine a permitted wall sign and building
831 identification sign into a single wall sign not exceeding 48 square feet in sign area.
832

833 **(h)**In addition, no more than two (2) of the following temporary signs, including any exempt
834 temporary signs, shall be permitted on any single business or plot at the same time:

- 835 1. *Temporary announcing signs*: One (1) sign per plot;
- 836 2. *Temporary banner sign.*
- 837 3. *Temporary contractor signs*: One (1) sign per plot;
- 838 4. *Temporary portable identification signs for a use adjoining a roadway under*
839 *construction*: One (1) sign per frontage of a street under construction, not exceeding 16
840 square feet in sign area, allowed in the business and motel districts, to be posted
841 adjacent to the road right-of-way during the period of road construction;
- 842 5. *Temporary real estate signs*;
- 843 6. *Temporary special event signs*: Two (2) signs per block;

844 **(4)***CF and P districts*. Only the following types of signs are permitted within the CF and P districts, subject
845 to the limitations and requirements contained in the definitions and restrictions by sign type and the
846 general design standards sections of these regulations, and subject to the additional limitations stated
847 below:

848 **(a)** Informational, wayfinding, directional and traffic control signs.

849 **(b)** Name and address signs:

- 850 1. One (1) occupant name sign per building, excluding any exempt rear door name sign, to
851 be placed on the building and not to exceed two (2) square feet in sign area.
- 852 2. One (1) occupant address sign per address, excluding any exempt rear door address
853 sign, to be placed on the building or mail box and not to exceed two (2) square feet in
854 sign area.
- 855 3. One (1) building address sign per building to be placed on the building and not to
856 exceed a total of six (6) square feet of sign area. Every building shall display an address
857 sign that is clearly visible from the street.
- 858 4. Buildings that have rear door access to an alley or parking lot shall also display an
859 address sign that is clearly visible from the alley or parking lot.
860

861 (c) Window signs: One (1) window sign per street frontage, placed in first floor windows only.

862 (d) In addition, each building may display no more than two (2) of the following permanent signs,
863 with a combined total sign area of not more than 32 square feet per street frontage, and the
864 total sign area of all signs attached to the wall, canopy and/or awnings of a building shall not
865 exceed 15 percent of the area of the building facade.

866 1. *Building or development identification signs:* With a sign height no greater than 35 feet.

867 2. *Canopy or awning signs:* With a sign height no greater than 18 feet.

868 3. *Directory signs:* For a multi-tenant building only, and with a sign height no greater than
869 12 feet.

870 4. *Hanging signs:* With a sign height no greater than 18 feet.

871 5. *Changeable copy signs:* With a sign height no greater than 18 feet.

872 6. *Monument signs:* One (1) sign with one (1) or two (2) faces per street frontage, only on a
873 plot with 200 or more feet of continuous frontage on the same street.

874 7. *Wall signs:* With a sign height no greater than 35 feet.

875 (e) In addition, no more than two (2) of the following temporary signs, including any exempt
876 temporary signs, shall be permitted on any single plot at the same time:

877 1. *Temporary announcing signs:* One (1) sign per plot to be set back at least five (5) feet
878 from any right-of-way or property line.

879 2. *Temporary contractor signs:* One (1) sign per plot to be set back at least five (5) feet
880 from any right-of-way or property line.

881 3. *Temporary real estate signs:* To be set back at least five (5) feet from any right-of-way or
882 property line.

883 4. *Temporary special event signs:* Two (2) signs per block to be set back at least five (5) feet
884 from any right-of-way or property line.

885 5. *Temporary banner signs.*

886 **Sec. 30-509. - Administration and permits.**

887 (1) These sign regulations shall be administered by the Development Services Department. No sign of
888 any kind (except exempt signs) shall be erected, installed, repaired or replaced within the Town until a
889 permit for such sign or work has been issued by the Development Services Department. Prior to the
890 issuance of a sign permit for any sign, the application for a sign permit shall be reviewed and approved
891 by the Development Services Department.

892 **(2)Permits.** Sign applications shall be on forms promulgated by the Town and shall include sufficient
893 information to ensure complete review of the application. Rules regarding sign application information
894 shall be promulgated by the Town Manager or designee. The application for a permit for a sign shall be
895 accompanied by three copies of the following:

- 896 (a) Address and legal description of the property upon which the sign is to be placed;
- 897 (b) Name and address of the owner of the property upon which the sign is to be placed;
- 898 (c) Written permission of the owner of the property to erect or place the proposed sign;
- 899 (d) A drawing or sample of the proposed sign, to scale, showing the dimensions, letter size, colors,
900 materials, structural support, and lighting, if any;
- 901 (e) If lighting is proposed, information regarding the type, ~~and~~ intensity and if applicable, Kelvin
902 temperature of the proposed illumination to document compliance with the sign illumination
903 restrictions of these regulations;
- 904 (f) A plan showing the proposed location on the ground or building and the mounting height of the
905 proposed sign, along with a color photograph of the proposed location;
- 906 (g) The cost or value of the proposed sign; and
- 907 (h) Any other plans or information required by the Development Services Department for any
908 related structural permit or electrical permit.

909 **(3) Application review.** Upon submission of an application, the Development Services Department shall
910 review and evaluate the application as follows:

- 911 (a) No application shall be accepted until it is deemed complete by the Department.
- 912 (b) The Department shall review all of the information submitted to determine conformity with this
913 article and applicable sections of the Florida Building Code, including the location of the
914 proposed sign.
- 915 (c) The submitted application will be reviewed within 20 business days and any corrections,
916 revisions or deficiencies provided to the applicant within that 20-day period.
- 917 (d) Upon each re-submittal of corrected plans, the Department shall have ten business days to
918 review the application and provide any corrections, revisions or deficiencies to the applicant.
919 This process shall continue until the applicant has submitted a complete application or demands
920 that the application be reviewed as is, without further revisions.
- 921 (e) If an applicant fails to provide additional information as requested by the Department within
922 two (2) months of the request or respond to the Department with a time when the information
923 will be submitted, the application shall be deemed to be withdrawn by the applicant. The

924 applicant shall be entitled to one (1) sixty-day extension upon request, providing the request for
925 extension is requested prior to the expiration of the two (2) month period.

926 (f) The Department shall approve or deny the sign permit within ten business days of receipt of the
927 complete application or the applicant's demand for review as submitted, based on whether it
928 complies with the requirements of this article. The Department shall prepare a written notice of
929 the decision, either in the form of an approved sign permit or written notice of denial,
930 describing the applicant's appeal rights, and provide such written notice to the applicant of its
931 decision within the ten (10) day period.

932 (4) *No right to appeal.* Except when Commission approval is required pursuant to the Code, the decision
933 of the Development Services Department for the issuance or denial of a sign permit shall be final. There
934 shall be no right of appeal to the Town Board of Adjustment or Town Commission of a finding of the
935 Development Services Department. The appellant may seek relief in the Circuit Court for Broward
936 County, as provided by law.

937 **Sec. 30 – 510. Landmark Signage.** The Town Commission may, following a public hearing, grant a
938 waiver of the Town Code related to signage for a Landmark Business upon a finding that the waiver
939 requested or approved is the minimum waiver necessary to provide for signage consistent with, but not
940 necessarily identical to, signage historically utilized in the Town which maintains the landmark identity
941 and character of the business and Town.

- 942 1. A business may be designated as a Landmark Business by the Town Commission following a
943 public hearing.
- 944 2. The designation of a Landmark is a function of not just a building, but the business within
945 that building that has created a unique sense of place that is significant and prominent in
946 the identity and history of the Town. A Landmark Business designation is unique to the
947 designated business at the designated location. Neither the business nor the location
948 independently shall be considered a Landmark Business.
- 949 3. The Town Commission may designate by resolution a business as a Landmark Business upon
950 application by the business owner and consideration of the following factors:
 - 951 a. History of operation for a minimum of 35 years at the same location; and
 - 952 b. Establishment of an identity and business awareness of such character and
953 reputation as to be considered an identifiable landmark within the Town.

954 **Sec. 30 – 510511. Nonconforming Signs.**

955
956 (1) *Nonconforming signs.* Except a pole or pylon sign meeting the criteria and conditions of subsection
957 (b) below, any previously permitted, existing sign that does not conform to the provisions of these
958 regulations shall be removed or brought into conformance with these regulations upon new
959 development or redevelopment as defined in Section 30-513.
960

961 **(2)Nonconforming pole and pylon signs.** Except as permitted in the RM-25 and RM-50 district, any
962 previously permitted pole or pylon sign legally existing as of March 27, 2001, and in existence for the
963 two years prior to that date, shall be considered a legal, nonconforming pole or pylon sign.

964 **(a)** Upon new development or redevelopment of a site, any existing pole or pylon signs must be
965 removed and may not be replaced under subsection (b) or (c), below.

966 **(b)** Legal, nonconforming pole or pylon signs meeting the criteria of this Section may be replaced
967 only under the following conditions:

- 968 1. The sign area of a pole or pylon sign shall not exceed 32 square feet in size;
- 969 2. There shall be no more than one pole or pylon sign per street frontage per property;
- 970 3. All pole and pylon signs shall be set back at least five (5) feet from any property line or
971 right-of-way;
- 972 4. The setback required for a pole or pylon sign shall be measured from whichever portion
973 of the pole, pylon or sign area is closest to the property line;
- 974 5. Any pole sign located within 30 feet of a street intersection or within 15 feet of the
975 intersection of a parking space and a driveway or street shall maintain seven (7) feet of
976 clearance between the ground and the bottom of the sign area;
- 977 6. No pylon sign may be placed within 30 feet of a street intersection or in any location
978 that would obstruct cross-visibility at a driveway intersection or would obstruct cross-
979 visibility for back-out parking.
- 980 7. The support poles of pole signs shall not exceed a width or diameter of 18 inches;
- 981 8. Pylon signs shall be limited to one pylon with a width or diameter not to exceed four(4)
982 feet; and
- 983 9. The height of the top of a pole or pylon sign shall not exceed 15 feet above the crown of
984 the nearest street.

985 **(c)** Replacement of legal, nonconforming pole signs and pylon signs require site plan review and
986 approval by the Town Commission prior to issuance of a sign permit. The following additional
987 requirements and conditions must be met in order for a proposed pole or pylon sign to receive
988 site plan approval:

- 989 1. The proposed pole or pylon sign is replacing an existing legal, nonconforming pole or
990 pylon sign;
- 991 2. The design and colors of the proposed sign shall be coordinated with the design and
992 colors of any buildings on the premises; and
- 993 3. The pole(s) of the proposed pole sign and the pylon of the proposed pylon sign shall
994 have architectural treatment or be screened by lattice-work and/or landscaping that
995 will, to the satisfaction of the Town Commission, ensure that the proposed sign is
996 aesthetically compatible with adjoining development.

997 **Sec. 30-511,512. - Fee schedule.**

998 The fee schedule for sign permits shall be established by resolution of the Town Commission and shall
999 be posted in the Building Department.

1000 **Sec. 30-512513. - Severability.**

1001 (1)The sections, paragraphs, sentences, clauses and phrases of this article are severable, and if any
1002 phrase, clause, sentence, paragraph or section of this article shall be declared unconstitutional or void or
1003 unenforceable by the valid judgment or decree of a court of competent jurisdiction, such
1004 unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences,
1005 paragraphs and sections of this article.

1006 (2)This subsection shall not be interpreted to limit the effect of subsection (1) above, or any other
1007 applicable severability provision in this Code or any adopting ordinance. The Town Commission
1008 specifically intends that severability shall be applied to sign regulations even if the result would be to
1009 allow less speech in the Town, whether by subjecting currently exempt signs to permitting or by some
1010 other means.

1011 (3)This subsection shall not be interpreted to limit the effect of subsections (1) or (2) above, or any other
1012 applicable severability provision in this Code or any adopting ordinance. The Town Commission
1013 specifically intends that severability shall be applied to prohibited signs so that each of the prohibited
1014 sign types listed in the Town Code in Section 30-505 shall continue to be prohibited irrespective of
1015 whether another or any sign prohibition is declared unconstitutional or invalid.

1016 (4)This subsection shall not be interpreted to limit the effect of subsections (1), (2) or (3) above, or any
1017 other applicable severability provision in this Code or any adopting ordinance. The Town Commission
1018 specifically intends that severability shall be applied to Section 30-505 of the sign regulations so that if
1019 all or any of such provisions are declared unconstitutional or invalid by the final and valid judgment of
1020 any court of competent jurisdiction, the Town Commission intends that such declaration shall not affect
1021 any other prohibition on animated, flashing or billboard signs in the aforesaid sections.

1022 **Sec. 30-513514. - DEFINITIONS:**

1023 The terms and phrases used in this Article shall have the following indicated meanings:

1024
1025 **Address sign:** A sign displaying only the numerical address and unit number or letter of the premises
1026 upon which the sign is located.

1027
1028 **Animated or flashing sign:** Any sign including electronic, laser, video, digital or similar displays, with
1029 elements, images, text, or colors that move, rotate, flash, change or similar movement is prohibited. A
1030 date/time and temperature indicator or barber pole is not an animated sign. Temporary animated or
1031 flashing signs attached to amusement rides, vending carts, and sideshow equipment used in a special
1032 community event specifically authorized by the Town Commission shall not be prohibited by these
1033 regulations.

1034
1035 **Announcing sign:** A temporary sign used for the opening of a business, the future development of
1036 property or an upcoming event or activity.

1037
1038 **Adjoining:** Located next to, bordering or contiguous.

1039

1040 **Automated Teller Machine (ATM) sign.** A sign that is located on, or attached to, an automated teller
1041 machine (ATM) that identifies the ATM, name of the machine or the business entity that owns an ATM
1042 and that identifies the financial services networks that are accepted at that ATM. For the purpose of
1043 this section, an ATM is defined as a computerized telecommunications device that provides the clients
1044 of a financial institution with access to financial transactions in a public space without the need for a
1045 cashier, human clerk or bank teller.

1046

1047 **Awning sign:** See "canopy and awning sign."

1048

1049 **Balloon sign:** Any type of inflatable sign or sign suspended from a balloon.

1050 **Banner sign:** A sign with or without any text, composed of fabric or plastic, affixed to a permanent pole
1051 or permanent structure by wire, string, brackets or grommets and which is suspended in the air over a
1052 public right-of-way. A hanging sign is not included within the definition of a banner sign. Pennants are
1053 included within this definition of a banner sign.

1054

1055 **Billboard:** A permanent, free-standing or building-mounted sign, advertising products or services not
1056 related to the premises upon which the sign is located, is prohibited. Also referred to as off-premise
1057 sign.

1058 **Building or development identification sign:** A sign used only for the name and/or address of a building
1059 or development.

1060

1061 **Cabinet sign:** A sign, constructed like a box, with sign copy painted on or applied to a translucent plastic
1062 or glass face.

1063

1064 **Canopy or awning sign:** A sign that is part of, or attached to a canopy or awning or other similar
1065 protective cover.

1066

1067 **Changeable copy sign:** A sign or portion thereof with characters, letters or illustrations that can be
1068 changed or rearranged by manually removing or rearranging the characters, letters or illustrations on
1069 the physical sign.

1070 **Commercial message:** Any wording, logo, emblem, character, pictograph, trademark, or symbol used to
1071 represent a firm, organization, entity, product, or service, or other representation that, directly or
1072 indirectly, names, advertises, or calls attention to a product or service. For purposes of this article, terms
1073 such as sale, special, clearance, or other words which relate to commercial activity shall be deemed to
1074 be commercial messages. Items of identification shall not be considered to be commercial messages.

1075 **Contractor sign:** A temporary sign, posted upon property or a building with an active building permit,
1076 used to identify the name and/or type of development and/or the name and phone number of the
1077 developer, contractor, architect, engineer, landscape architect, planner and/or realtor.

1078

1079 **Development:** See "new development and redevelopment."

1080 **Directory sign:** A single or double face sign, used to identify the name of the building or development
1081 and the names and unit numbers of tenants in a multiple tenant building or development.

1082
1083 **Electronic sign:** Any type of electronic display board, electronic message board, digital, LED,
1084 programmable ink or other sign capable of displaying words, pictures, symbols, video or images
1085 including, but not limited to, any electronic, laser, digital, or projected images display that can be
1086 changed electronically or mechanically by remote or automatic means. Architectural lighting designed
1087 to illuminate building walls, architectural features or landscaping is a not a sign.

1088
1089 **Feather sign:** A professionally produced temporary lightweight sign comprised of nylon, canvas, vinyl,
1090 or polyester fabric that may or may not contain language for advertisement, greeting or similar
1091 messaging purposes and that is affixed to support structure, such as a metal pole, in such a manner that
1092 allows movement of the banner and where such sign is located outdoors. Such signs may also be
1093 referred to as "flutter", "tear drop", "flying", "wing", or "bow" signs.

1094 **Flag:** Any fabric, plastic, canvas, material or bunting containing distinctive color(s), pattern(s), symbol(s),
1095 emblem(s) or insignia(s) containing noncommercial speech or used as a symbol of a government,
1096 political subdivision or other governmental entity or of any business or institutional entity or idea.

1097 **Freestanding sign:** Any type of sign that is not affixed to a building.

1098 **Hanging sign:** A hanging sign that is attached perpendicular to any portion of the primary building
1099 facade or attached to the underside of a building arcade or building canopy, which sign is attached by
1100 brackets, cantilevered, or suspended in some similar manner. A hanging sign may be vertical or
1101 horizontal in its orientation. Perpendicular signs, projecting signs, and blade signs are also included in
1102 the definition of a hanging sign.

1103 **Historical sign:** A sign of historical or architectural significance to the Town may be designated as an
1104 historical sign by resolution of the Town Commission and shall thereafter be exempt from all provisions
1105 of these regulations except for the requirements for maintenance and permit for reconstruction or
1106 major repair.

1107 **Informational, wayfinding, directional or traffic control sign:** An informational, wayfinding, directional
1108 or traffic control sign is:

- 1109 (a) A noncommercial sign erected and maintained by the Town, County or State, or any agency
1110 thereof, or specifically provided for a facility licensed with the Town, to denote the name of any
1111 thoroughfare, route directions, educational institution, public building, park, recreational facility
1112 or hospital; to provide multi-modal transportation facility ownership and operational
1113 directional; to direct and regulate traffic; to denote any transportation or transmission company
1114 for the direction or safety of the public; or to provide any other governmental information.
- 1115 (b) A noncommercial sign located on and relating to an activity on the premises upon which the sign
1116 is located, providing information to pedestrian and vehicular traffic, e.g., "entrance," "exit,"
1117 "caution" and "no trespassing."

1118 (c) A noncommercial sign within a development, or at the entrances thereto, showing the name(s)
1119 and directions to the locations of the subdivisions comprising the development, a sales office,
1120 etc.

1121
1122 **Length:** The horizontal dimension of a sign as measured in feet and inches.

1123 **Menu Board sign:** A sign outside of a restaurant and containing only a copy of the menu or daily
1124 specials.

1125
1126 **Monument sign:** A permanent free-standing stone, masonry or metal sign where the entire bottom of
1127 the sign is affixed to the ground or where the sign is placed upon a permanent free standing masonry
1128 wall section.

1129
1130 **Multi-modal transportation facility:** A facility approved through license by the Town, used for the
1131 storage of vehicles which are utilized in a Town-wide rental and sharing system for such vehicles.

1132
1133 **Multi-modal transportation information sign:** A sign, specifically provided for as part of a license with
1134 the Town for a designated multi-modal transportation facility, which is attached to said facility for the
1135 purpose of providing maps, directional and instructional information, and identifying the owner or
1136 manufacturer of the facility, for users of the system. Said signs shall not be illuminated or include any
1137 flashing, moving, digital, video display or electronic changeable copy features. A single informational
1138 sign not to exceed 30" by 30", per facility, may identify sponsors of the facility and program on the
1139 opposite side of the information sign. In addition, each pay station may contain up to four signs to
1140 identify facility sponsors, one per pay station side, not to exceed one (1) sq. ft. All sign faces shall be
1141 oriented towards users of the multi-modal transportation facility and not toward the motorized vehicle
1142 traffic.

1143
1144 **Mural:** A picture, painting or graphic, not otherwise meeting the criteria for a wall sign, applied directly
1145 to an otherwise blank wall containing advertising, text or logos, or copyrighted, trademarked or service
1146 marked characters, objects or products advertised in print or media advertising. Noncommercial
1147 pictures, paintings or graphics which contain no text except for identification of the artist and date in
1148 letters not exceeding six (6) inches in height, are not murals.

1149
1150 **Name sign:** A sign used only for the name and unit number or letter of the person, entity or business
1151 occupying the premises.

1152
1153 **Neon sign:** Any type of sign that utilizes exposed neon, argon or any other gaseous or liquid element or
1154 compound as a direct means of illumination. Neon, argon or other gaseous or liquid element or
1155 compound utilized for illumination that is covered by a translucent material, or otherwise concealed
1156 from direct view, shall not be considered to be a neon sign. Exposed neon, argon or any other gaseous
1157 or liquid element or compound utilized for illumination used solely to accent or illuminate architectural
1158 features of a building shall not be considered a sign, if authorized by the Town Commission as part of
1159 the site plan approval for the development.

1160
1161
1162
1163
1164
1165
1166
1167
1168
1169

1170
1171
1172
1173
1174
1175

1176
1177
1178

1179
1180
1181
1182
1183
1184
1185
1186
1187
1188
1189
1190
1191
1192
1193
1194
1195
1196
1197
1198
1199
1200
1201

New development and redevelopment: For the purposes of this Article, the terms new development and redevelopment shall have the following meanings:

- (a) **New development:** The construction of a building or parking lot upon a vacant or cleared plot.
- (b) **Redevelopment:**
 - (1) Any reconstruction or remodeling exceeding 25 percent of the assessed valuation of a building; or
 - (2) Any substantial alteration of the street facade of a building.

Noncommercial: Containing no commercial message.

Painted sign: Any exterior sign or window sign with text or message that is only painted or applied upon a surface. Decals, plastic film, mosaic, photocopied and printed text or messages are also considered to be "painted." Painted signs do not include murals.

Paper sign: A sign drawn, painted or printed on paper, cardboard, or similar water-absorbing material. Paper or cardboard signs may be used only inside of a building or mounted within a weatherproof cover.

Permanent sign: A permanent sign is any one of the types of signs specifically listed within these regulations as an allowed sign, and which is installed and maintained in a fixed location for an indefinite period of time.

Pole sign: A sign mounted upon one or two vertical poles, either free-standing or extending above another structure. Traffic control and directional signs mounted on poles are not considered to be pole signs.

Political sign: A sign which sets forth the name, cause, or affiliation of a person seeking office or a proposed referendum or ballot proposition, the date of the election and/or the office sought or which sets forth any issue for which, or pertaining to, a public election is scheduled to be held.

Portable identification signs for a use adjoining a roadway under construction: A sign that is used for the purpose of identifying a business, hotel or motel, or other non-residential use during the period of construction of an adjacent roadway.

Portable moving sign. A sign not permanently attached to the ground or other permanent structure, and designed to be worn or carried for display by a person or transported by means of wheels. The term "portable moving sign" includes, but is not limited to, a human sign or a sign mounted on a bike trailer or vehicle trailer or truck bed that is used to advertise any business or product that is not the business or principal purpose of the vehicle. This definition is not to be construed to include those signs on a vehicle that identify its business, purpose or principal products or such advertising devices as may be attached to or displayed on and within the normal unaltered lines of the vehicle of a licensed transit carrier, when and during that period of time such vehicle is regularly and customarily used to traverse the public highways during the normal course of business. A sandwich sign, as otherwise defined in this Chapter, is not included in this definition.

1202 **Pylon sign:** A sign mounted upon or on top of a vertical wall or other support structure, wherein such
1203 wall or structure exceeds six (6) feet in height. A pylon sign that is supported by a pole shall be
1204 considered a pole sign. A pylon sign may be either a free-standing sign or attached to and extending
1205 above another structure.
1206

1207 **Real estate sign:** A temporary sign announcing an "open house" or "model home" or the availability of
1208 the premises for sale or for lease.
1209

1210 **Redevelopment:** See "new development and redevelopment."

1211 **Roof sign:** A sign mounted above the fascia of a sloped roof or above the deck of a flat roof. A sign
1212 placed upon a bona fide tower extending above the principal roof-line of the building or upon a dormer
1213 or recessed wall within a sloped roof shall not be considered a roof sign.
1214

1215 **Sandwich sign:** A movable, portable, free-standing, A-frame board construction sign not secured or
1216 attached to the ground that can be folded and carried by an individual.
1217

1218 **Sign:** Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or
1219 writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to
1220 communicate information to the public.
1221

1222 **Snipe sign:** A sign, which is tacked, nailed, taped, glued or otherwise attached to a tree, pole, fence,
1223 newsrack, trash receptacle, building wall or door or other object. Legal notices required by law are not
1224 signs. Legal notices required by law are exempted.

1225 **Special event sign:** A temporary sign placed by the Town, a community service organization,
1226 homeowners association or condominium association announcing an upcoming community event,
1227 special meeting or election.

1228 **Stationary Vehicle or trailer sign:** A sign advertising a business or product, mounted on, or attached to a
1229 motor vehicle or trailer which is parked for more than 12 hours at the same location or parked on more
1230 than three consecutive days at the same location as the business or product which is being advertised. A
1231 vehicle parked inside a garage, parked behind the building, or a passenger vehicle displaying a name and
1232 telephone number with letters no more than four inches in height is not a vehicle sign as described
1233 above.
1234

1235 **Strip Lighting:** Lighting used to surround the interior of a window and/or its architectural features. Also
1236 referred to as string or rope lighting.
1237

1238 **Subdivision and residential development identification sign:** A sign erected at the entrance to a
1239 neighborhood or residential development used only for the official name and address of the
1240 neighborhood or residential development.
1241

1242 **Temporary sign:** A temporary sign is any one of the types of signs specifically listed within these
1243 regulations as an allowed temporary sign and which may be displayed for a limited, specified amount of
1244 time.

1245 **Vacancy/no vacancy/rental availability sign:** A sign or portion of a sign located at a motel, hotel,
1246 apartment building or condominium indicating whether or not there are rooms/units available.

1247 **Vehicular Use Area [VUA]:** For the purpose of this section, vehicular use areas are areas used for
1248 parking of vehicles, and all land upon which vehicles traverse. A private VUA is a VUA area that is
1249 privately owned and not public property.

1250 **Wall sign:** A sign attached to, or parallel a wall, or erected and confined within the limits of an outside
1251 wall of any building or structure, which is supported by such wall or building, and which displays only
1252 one sign surface.

1253
1254 **Warning or danger sign:** A sign warning of a hazardous condition or dangerous object or animal in the
1255 immediate vicinity. ~~Warning or danger signs not exceeding four square feet in size are exempt from~~
1256 ~~these regulations.~~

1257 **Window:** For the purpose of these regulations, a window shall be defined as that portion of a first or
1258 second floor facade consisting of a transparent, glass-like material designed to provide viewing of the
1259 interior from the exterior of the building and which shall be:

- 1260 (a) No less than 75 percent transparent from the exterior;
1261 (b) The area of a single window includes contiguous window panels separated by dividers less than
1262 six(6) inches in width;
1263 (c) Contiguous window panels separated by dividers greater than six (6)inches in width, separated
1264 by a doorway or separated by the corner of a building shall be considered separate windows;
1265 and
1266 (d) A glass door or pair of doors shall be considered a separate window.

1267
1268 **Window sign:** A sign attached to or placed on storefront windows and glass doors and that are placed
1269 within ten feet of the inside of a window and oriented toward the window. A bulletin board, displayed
1270 inside a window, and upon which notices, advertisements, specials, listings and the like are posted, shall
1271 be considered a single window sign.

1272 **Sec. 30-514515 - 30-530. - Reserved.**

1273 **SECTION 3. Codification.** This Ordinance shall be codified in accordance with the
1274 foregoing. It is the intention of the Town Commission that the provisions of this Ordinance shall
1275 become and be made a part of the Town of Lauderdale-By-The-Sea Code of Ordinances; and that
1276 the sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be

1277 changed to "section", "article" or such other appropriate word or phrase in order to accomplish such
1278 intentions.

1279 **SECTION 4. Severability.** If any section, sentence, clause, or phrase of this Ordinance is
1280 held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall
1281 in no way affect the validity of the remaining portions of this Ordinance.

1282 **SECTION 5. Conflicting Ordinances.** All prior ordinances or resolutions or parts
1283 thereof in conflict herewith are hereby repealed to the extent of such conflict.

1284 **SECTION 6. Effective Date.** This Ordinance shall become effective immediately
1285 upon passage on second reading.

1286 Passed on the first reading, this ____ day of _____, 2012.

1287 Passed on the second reading, this ____ day of _____, 2012.

1288
1289 _____
1290
1291 Mayor Roseann Minnet
1292

	First Reading	Second Reading
1293		
1294		
1295 Mayor Minnet	_____	_____
1296 Vice-Mayor Dodd	_____	_____
1297 Commissioner Brown	_____	_____
1298 Commissioner Sasser	_____	_____
1299 Commissioner Vincent	_____	_____

1300
1301 Attest:
1302
1303
1304 _____
1305 Town Clerk, June White
1306 (CORPORATE SEAL)
1307
1308

1309 Approved as to form:

1310

1311

1312

1313

Town Attorney, Susan L. Trevarthen

1314