

## EXHIBIT 2

### ARTICLE VIII - SIGN REGULATIONS

Sec. 30-482—~~30-500.~~ – 499 Reserved.

#### Sec. 30-500. – Purpose

This Article establishes comprehensive regulations for the control of Signs in order to preserve, protect, and promote the public health, safety and general welfare. More specifically, this Article is intended to assist in achieving the following objectives:

- (1) To authorize the use of Signs that:
  - (a) Are compatible with their surroundings and the zoning district in which they are located;
  - (b) Projects the image, character and style the Town desires to promote;
  - (c) Are appropriate to the type of establishment or activity to which they pertain;
  - (d) Are legible in the circumstances in which they are seen; and
  - (e) Are not distracting or cluttered in a manner that disturbs the safe and free flow of vehicular and pedestrian movement.
- (2) To enhance the economic vitality of existing businesses and foster quality redevelopment by promoting the reasonable, orderly, and effective display of Signs.
- (3) To encourage sound Sign display practices, and to mitigate the objectionable effects of competition in respect to the size and placement of Signs;
- (4) To enhance the physical appearance of the Town by protecting the man-made and natural beauty of the area;
- (5) To preserve the value of private property by assuring the compatibility of Signs with nearby land uses; and
- (6) To enable fair and consistent enforcement of these Sign regulations.

#### ~~(a)~~ Sec. 30-501. Applicability.

This article shall apply to all property and land within the jurisdiction of the Town of Lauderdale-By-The-Sea. It is unlawful for any person, firm, or corporation that owns, occupies, or controls property in the Town of Lauderdale-By-The-Sea to construct, maintain, display or alter or cause to be constructed, maintained, displayed or altered, a sign within the City except in conformance with this Article.

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**Sec. 30-501. — Administration and permits.**

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

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

- ~~(1) Address and legal description of the property upon which the sign is to be placed;~~
- ~~(2) Name and address of the owner of the property upon which the sign is to be placed;~~
- ~~(3) Written permission of the owner of the property to erect or place the proposed sign;~~
- ~~(4) A drawing or sample of the proposed sign, to scale, showing the dimensions, letter size, colors, materials, structural support, and lighting, if any;~~
- ~~(5) If lighting is proposed, information regarding the type and intensity of the proposed illumination to document compliance with the sign illumination restrictions of these regulations;~~
- ~~(6) A plan showing the proposed location on the ground or building and the mounting height of the proposed sign, along with a color photograph of the proposed location;~~
- ~~(7) The cost or value of the proposed sign; and~~
- ~~(8) Any other plans or information required by the Development Services Department for any related structural permit or electrical permit.~~

~~(c) Application review.~~ Upon submission of an application, the Development Services Department shall review and evaluate the application as follows:

- ~~(1) No application shall be accepted until it is deemed complete by the Department.~~
- ~~(2) The Department shall review all of the information submitted to determine conformity with this article and applicable sections of the Florida Building Code, including the location of the proposed sign.~~
- ~~(3) The submitted application will be reviewed within 20 business days and any corrections, revisions or deficiencies provided to the applicant within that 20-day period.~~
- ~~(4) Upon each re-submittal of corrected plans, the Department shall have ten business days to review the application and provide any corrections, revisions or deficiencies to the applicant.~~

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This process shall continue until the applicant has submitted a complete application or demands that the application be reviewed as is, without further revisions.

~~(3)(6)~~ The Department shall approve or deny the sign permit within ten business days of receipt of the complete application or the applicant's demand for review as submitted, based on whether it complies with the requirements of this article. The Department shall prepare a written notice of the decision, either in the form of an approved sign permit or written notice of denial, describing the applicant's appeal rights, and provide such written notice to the applicant of its decision within the ten-day period.

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

~~(e) Nonconforming signs.~~ Any previously permitted, existing sign that does not conform to the provisions of these regulations shall be removed or brought into conformance with these regulations upon new development or redevelopment as defined in section 30-507 or when the Town has determined that the sign (except a pole or pylon sign meeting the criteria and conditions of subsection (f) below) has been destroyed or damaged such that the cost of alteration, repair or replacement of such sign exceeds 50 percent of the replacement cost thereof.

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

~~(1)~~ Upon new development or redevelopment of a site, any existing pole or pylon signs must be removed and may not be replaced under subsections (2) or (3) below.

~~(2)~~ Legal, nonconforming pole or pylon signs meeting the criteria of this section may be replaced only under the following conditions:

~~(i)~~ The sign box or panel of a pole or pylon sign shall not exceed 32 square feet in size.

~~(ii)~~ There shall be no more than one pole or pylon sign per street frontage per property.

~~(iii)~~ All pole and pylon signs shall be set back at least five feet from any property line or right-of-way.

~~(iv)~~ Any pole sign located within 30 feet of a street intersection or within 15 feet of the intersection of a parking space and a driveway or street shall maintain seven feet of clearance between the ground and the bottom of the sign box or panel.

~~(v) No pylon sign may be placed within 30 feet of a street intersection or in any location that would obstruct cross-visibility at a driveway intersection or would obstruct cross-visibility for back-out parking.~~

~~(vi) The support poles of pole signs shall not exceed a width or diameter of 18 inches.~~

~~(vii) Pylon signs shall be limited to one pylon with a width or diameter not to exceed four feet.~~

~~(viii) The height of the top of a pole or pylon sign shall not exceed 15 feet above the crown of the nearest street.~~

~~(ix) Replacement pole signs and pylon signs require site plan review and approval by the Town Commission prior to issuance of a sign permit. The following additional requirements and conditions must be met in order for a proposed pole sign to receive site plan approval:~~

~~a. The proposed pole or pylon sign is replacing an existing pole or pylon sign.~~

~~b. The design and colors of the proposed sign shall be coordinated with the design and colors of any buildings on the premises.~~

~~c. The pole(s) of the proposed pole sign and the pylon of the proposed pylon sign shall have architectural treatment or be screened by lattice work and/or landscaping that will, to the satisfaction of the Town Commission, ensure that the proposed sign is aesthetically compatible with adjoining development.~~

## Sec. 30-502. - Exempt signs.

A. The Town has a compelling interest in permitting the following signs in order to comply with state and local laws and to promote public safety on Town property and/or in the street right-of-way. The following signs may be installed without a sign permit, provided they meet the requirements listed below and are otherwise in conformance with this article. Under certain circumstances these signs may require a building permit or right-of-way encroachment permit. Contact the Town's Development Services Department for permitting requirements prior to installing any of the signs listed below.

The following types of signs are exempt from the provisions of this Article:

- (1) Any sign not visible from any ~~adjoining~~ street, property (other than the subject site), beach or water body;
- (2) Any sign contained within a building and set back from any windows at least ten feet;
- (3) Customary price tags and labels not exceeding 15 square inches in size on merchandise in display windows;
- (4) ~~One-d~~ Date/time and temperature indicator: one per plot, no larger than four square feet in size ~~per plot~~;
- ~~(5) Historical signs except that a permit shall be required for reconstruction or major repair;~~
- ~~(15)~~ (5) Flags:
  - (a) ~~e~~ On residential property up to a cumulative maximum of 40 square feet; ~~and~~
  - (b) ~~(16)~~ Up to four flags on non-residential property, up to a cumulative maximum not to exceed one square foot of flag per linear foot of the front lot line.
- (6) Holiday lighting may be installed up to 30 days prior to the date of a holiday and must be removed within two weeks following the date of the holiday.
- ~~(13)~~ (7) Informational, wayfinding, directional, hazard and traffic control and similar signs installed by a government agency;
- ~~(6)~~ (8) Legal notices required to be posted by law or ordinance;
- ~~(7)~~ (9) Name and address signs;
  - (a) ~~with~~ l Letters or numerals shall be no more than six inches in height.
  - (b) Each name and address sign shall not exceed two square feet in sign area.
  - (c) Every building shall display an address sign that is clearly visible from the street.
  - (d) Buildings that have rear door access to an alley or parking lot shall also display an address sign that is clearly visible from the alley or parking lot.
  - (e) See additional regulations per zoning district, as provided in Sec. 30-508 Sign regulations by zoning districts.

~~(8)~~ (10) "No admittance," "exit only" and similar signs applied onto or next to rear or emergency doors with letters no more than six inches in height;

~~(14)~~ (11) Noncommercial signs ~~of four square feet or less~~ not to exceed a cumulative total area of 16 square feet per property (residential or non-residential) or business establishment;

~~(9)~~ (12) "No parking," "no trespassing" and similar signs, and warning or danger signs, no larger than four square feet in size, up to a cumulative maximum of four signs per property;

**(13) Political Candidate and Election Issue signs:**

(a) May not be erected upon public right-of-way or government-owned or leased property.

(b) Shall be of a temporary nature and shall not exceed an overall size of two feet by three feet.

(c) ~~No permit shall be required for such sign; however, the candidate, or in the case of the election issue sign the property owner, person in charge of the campaign or the company erecting the sign~~ shall be responsible for removing the signs within seven days after the date of the election.

(d) ~~No political signs or placards shall be permitted to~~ May not be erected or placed upon parkways, utility poles, or trees.

(e) Only one sign per candidate or election issue shall be permitted per street frontage per property.

**(14) Real estate sign:**

(a) The name and phone number of the person or company responsible for placing and removing the sign shall be listed on the sign.

(b) Real estate signs located in residential zoning districts shall be no larger than 24 inches wide by 18 inches high.

(c) When mounted upon the ground, and shall not exceed three feet in height and shall be mounted with a frame or holder and post, the height of the frame or holder and post shall not exceed 36 inches in height.

(d) Properties shall be limited to one real estate sign per street frontage.

(e) Waterfront properties may display one additional sign facing the water.

(f) No real estate sign may be placed on public property or public right-of-way.

(g) Real estate signs placed on or for property which is for sale or lease, during a period of open viewing ("open house" signs) may only be posted during the hours of the open house and may only be posted on private property with the permission of the property owner.

(h) Shall be set back at least five feet from any right-of-way or property line.

(i) "Handmade" or stenciled real estate signs are prohibited.

~~(10)~~ (15) "Reserved," or similar lettering or numbers applied to parking space wheel stops;

~~(11)~~ (16) Signs required to be posted by a government regulation or law enforcement agency;

~~(12)~~ (17) Temporary Special Event signs of any type used as part of a special community event or fair, which has been specifically authorized by the Town Commission;

- B. In addition to the above, signs that are owned and erected, constructed, posted, painted, modified, relocated or maintained by the Town shall be exempted from the provisions of this Article.

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### Sec. 30-503. - Permitted signs.

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

- ~~(1)~~ (1) Automated Teller Machine (ATM) Signs;
- ~~(1)~~ ~~Box signs;~~
- (2) Building or development identification signs;
- (3) Cabinet signs;
- (4) Canopy and awning signs;
- ~~(8)~~ (5) Changeable copy signs;
- ~~(5)~~ (6) Directory sign;
- ~~(6)~~ (7) Hanging signs;
- ~~(7)~~ (8) Informational, wayfinding, directional and traffic control signs;
- (9) Menu board signs;
- (10) Monument signs;
- (11) Multi-modal transportation information signs for Town-licensed multi-modal transportation facilities located in rights of way;
- (12) Name and address signs, not otherwise exempt;
- (13) Neon signs,
- (14) Painted signs;
- (15) Pole signs;
- (16) Pylon signs;
- (17) Roof signs;
- ~~(18)~~ ~~Sandwich signs for valet parking services for paid private;~~
- ~~(19)~~ (18) Subdivision and residential development identification signs;
- (19) Valet and paid private parking sandwich signs;
- (20) Wall signs; and
- (21) Window signs;

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## Sec. 30-504. - Temporary signs.

The following types of signs may be permitted within the Town as temporary signs, only in conformance with these regulations and, ~~except for political signs and real estate signs,~~ after issuance of a temporary sign permit by the Development Services Department.

~~Temporary signs may be constructed of wood, metal and/or plastic, and may use flat, painted or printed text and designs.~~

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

### **(1) Announcing signs;**

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

### **(2) Banner signs;**

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

### **(3) Contractor signs:**

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

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

### ~~**(5) Holiday lighting (no permit required);**~~

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~~(6) Political signs (no permit required);~~

~~(7) (5) Portable advertising signs for businesses a use adjoining fronting a roadway under construction;~~

- ~~(a) Only allowed in business and motel districts when associated with a non-residential use, to be posted adjacent to the road right-of-way that is under construction during the period of road construction and must be removed immediately upon completion of the road construction.~~
- ~~(b) The sign shall not exceed 16 square feet in area.~~
- ~~(c) The sign must be of professional quality and must have its own support structure.~~
- ~~(d) The sign may not be designed to possibly be mistaken as a traffic control signs/devices.~~
- ~~(e) In the interest of legibility and not creating undue distraction, sign content is limited to name of the business(s).~~
- ~~(f) The sign must be placed in the ground and may not be placed upon or attached to utility poles, street signs, vegetation, traffic control devices or any other element located within the right-of-way.~~
- ~~(g) The sign shall not be placed so as to obstruct vehicular traffic sight distance triangle.~~

~~(8) Real estate signs (no permit required);~~

~~(9) (6) Special event signs;~~

- ~~(a) A special event sign shall not exceed 32 square feet in size.~~
- ~~(b) A special event sign shall not be posted for more than 14 days without the approval of the Town Commission.~~
- ~~(c) A temporary sign permit for a special event sign shall not be issued for the same property or location more than four times per year without the approval of the Town Commission.~~
- ~~(d) Shall be set back at least five feet from any right-of-way or property line.~~
- ~~(e) A special event sign that is a banner sign shall also be subject to regulations for banners as provided in this section.~~

~~(10) Valet signs;~~

~~(11) Window neon signs.~~

### Sec. 30-505. Prohibited signs.

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

(1) Animated or flashing signs,

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

(3) Permanent Balloon signs;

~~(5)~~ (4) Billboards/off-premises signs;

(5) Electronic signs;

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

(7) Murals;

~~(4)~~ (8) Permanent banner signs;

~~(7)~~ (9) Private signs of any type placed upon Town property or upon public right-of-way unrelated to a licensed use of the right of way;

~~(8)~~ (10) Signs placed upon benches, trash receptacles, ~~or~~ newsracks or posted on a tree;

~~(9)~~ (11) Signs placed on any portion of the public beach ~~or part thereof~~, except regulatory or warning signs;

~~(16)~~ (12) Signs that do not meet the design, material and fabrication requirements of this article;

~~(15)~~ (13) Signs that produce or emit any type of sound or odor;

~~(14)~~ (14) Signs which no longer advertise or identify a business conducted, a service rendered or product sold; ~~and~~

~~(10)~~ (15) Signs with unshielded lighting elements, except neon signs;

~~(11)~~ (16) Snipe signs;

~~(12)~~ (17) Stationary vehicle or trailer signs;

(18) Streamers, spinners, and feather signs; and

~~(13)~~ (19) Strip of string lighting in or around windows;

## Sec. 30-506. - General design standards.

### A. Area and Height Measurements

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

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

### **3. Supplemental Sign Area Regulations:**

- (a) In no case shall the total sign area of all signs attached to the wall, canopy and/or awnings of a building face shall not exceed 15 percent of the area of that building face.
- (b) In determining the sign area of a double-faced sign, which is a sign ~~The sign area of a double-faced sign, with identical faces mounted on opposite sides of the same sign, panel or box, is the area of only one of the two identical faces.~~ only one sign face shall be used to calculate the sign area.
- (c) 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.

**4. 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:

- (a) In the case of a building with a flat roof, the ~~area height~~ 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.
- (b) In the case of a building with a sloped roof, the ~~area-height~~ 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.
- (c) 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 2(a) and 2(b) above, and the area of the building face shall be the combined sum as calculated for each portion of the building face.

### **5. Sign Height and Sign Height Clearance:**

- (a) The height of a sign shall be measured from ~~T~~the elevation of the nearest sidewalk or crown of the road, whichever is higher, to the highest point of the sign area ~~.above the nearest~~
- (b) 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.

### **6. Maximum Sign letter size:**

- (a) The size of an individual letter or symbol in any window sign ~~copy~~ shall not exceed 12 inches in height or width.
- (b) ~~and~~ 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:
  - (1) 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
  - (2) The sign letter size may be increased by one inch for each 25 feet above the elevation of the nearest sidewalk or ~~roadway~~ crown of the road, whichever is higher, that the sign is mounted; and
  - (3) ~~In a sign with both upper and lower case letters, the maximum letter size of one upper case letter in each word may be increased 20 percent provided that the letter size of the lower case letters is reduced 20 percent.~~

### **(a) B. Construction:**

- (1) All permanent signs shall be constructed of durable, weather-resistant and fade-resistant materials. All permanent signs shall be professionally constructed or manufactured.
- (2) All permanent signs, except those on single-family and duplex lots, shall be installed by a licensed contractor.
- (3) All permanent signs shall be constructed and installed to conform to the requirements of the building code.
- (4) All temporary signs shall be constructed and installed in a workman-like manner, shall not pose any safety hazard, and shall be removed upon the expiration of the temporary sign permit or upon the issuance of a severe weather warning.
- (5) A separate electrical permit is required for any illuminated sign.
- (6) s~~Stenciled signs are prohibited~~ permitted for use as permanent signs.
- (7) Professionally painted signs that are applied directly to the wall of a building face are permitted.

### **(b) C. Colors:**

- (1) No florescent, phosphorescent, iridescent or reflective colors or paint may be used in any sign, except governmental informational, directional, traffic control or warning signs.

- (2) ~~Sign copy~~ Letters and numerals contained within the ~~same~~ sign area of each individual sign shall be limited to no more than three colors.
- (3) White shall not be counted as a color when used as the background of the sign.
- (4) All permanent signs on the same building shall use the same color scheme.
- (5) Sign color(s) shall be compatible with the color(s) of any building or wall upon which the sign is mounted.
- (6) ~~The sign wall of a monument or pylon sign and the box of a box, pole or pylon~~ Any freestanding sign shall ~~match the~~ utilize the same color scheme of the building to which it is related.
- (7) The actual color samples to be used, as well as written authority from the landlord or agent (unless applicant is owner) to use the submitted colors and layout, must accompany all permit applications.

**~~(d)~~ D. Layout:**

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

**~~(d)~~ E. Items of information:** The items of identification on permanent signs for the uses listed below shall be limited to the following:

**(1)**Hotels and motels (no more than three of the following items of information on any one permanent sign):

- (a) Hotel or motel name, type of accommodation (i.e. suites, efficiencies, apartments, bed and breakfast, resort or spa), telephone number, chain and travel club affiliations.
- (b) Address and vacancy/no vacancy information shall be permitted, in addition to the three allowable items.

**(2)**Retail, office and service businesses (no more than ~~two~~ a cumulative total of three of the following items of information on any one permanent sign): Business name, type of business, address, telephone number and up to two of the products or services offered.

**(3)**Restaurants and lounges (no more than ~~two~~ a cumulative total of three of the following items of information on any one permanent sign): Business name, type of business, type of food or beverage served, address, and telephone number.

**(4)**Apartment buildings and condominiums (no more than ~~two~~ a cumulative total of three of the following items of information on any one permanent sign): Name of complex, telephone number, and type of accommodations. Address and ~~vacancy/no vacancy~~ rental availability information shall be permitted, in addition to the two allowable items.

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

**(f) G. Sign illumination:**

- (1) Illuminated signs may be indirectly or internally illuminated.
- (2) All lighting elements or bulbs must be fully recessed or shielded within opaque or translucent covers.
- (3) Wooden signs shall not be internally illuminated or have electrical fixtures attached directly to the sign panel.
- (4) The intensity of illumination shall be limited to no more than 90 foot lamberts or ten foot-candles within residential districts or if visible within 200 feet from first floor residential property.
- (5) The intensity of illumination shall be limited to no more than 150 foot lamberts or 25 foot-candles if visible within 200 to 500 feet from first floor residential property.
- (6) The intensity of illumination shall be limited to a maximum of 250 foot lamberts or 50 foot-candles within nonresidential districts.
- (7) All transformer boxes, outlets and conduits relating to sign illumination shall be screened from exterior view.
- (8) A separate electrical permit is required for any sign illumination.
- (9) Architectural lighting designed to illuminate building walls, architectural features or landscaping is a not a sign.

**H. Prohibiting Location of Signs in Sight Visibility Triangles and in Utility or Drainage Easements:**

- (1) ~~The sign~~ No sign shall not be located within any utility or drainage easements, or within any cross- sight visibility triangle or safe recovery area for a street.

**I. Compliance with Other Town Code Regulations:**

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

**Sec. 30-507. - Definitions and Restrictions and Standards by Sign Type.**

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

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

An address sign with numerals or letters no more than six inches in height is allowed. Every building shall display an address sign that is clearly visible from the street.

Buildings that have rear door access to an alley or parking lot shall also display an address sign that is clearly visible from the alley or parking lot.

**Animated or flashing sign:** Any sign including electronic, laser, video, digital or similar displays, with elements, images, text, or colors that move, rotate, flash, change or similar movement is prohibited.

A date/time and temperature indicator or barber pole is not an animated sign.

Temporary animated or flashing signs attached to amusement rides, vending carts, and sideshow equipment used in a special community event specifically authorized by the Town Commission shall not be prohibited by these regulations.

**Announcing sign:** A temporary sign announcing the opening of a business, the future development of property or an upcoming event or activity.

An announcing sign shall not exceed 32 square feet in size.

An announcing sign for a new business may be displayed from the date of issuance of a business tax receipt for a business until 30 days after the opening of the business.

An announcing sign for a future development may be displayed from the date of approval of a site plan by the Town Commission, or the issuance of a building permit when no site plan approval is required, until the issuance of the certificate of occupancy.

An announcing sign for an upcoming event may be posted from 14 days prior to the event until the day after the event.

A temporary sign permit for an announcing sign shall not be issued more than twice per year for the same business.

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

(a) When an ATM sign is attached to an ATM device and where such ATM device is located outside of a building:

(1) Only one sign shall be allowed to be displayed on each ATM device;

(2) The identification sign must be architecturally integrated into the ATM sign and shall not exceed 2 square feet;

(3) The ATM sign height shall not extend more than 2 feet above the highest point of ATM device;

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

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

~~**Balloon sign:** Any type of inflatable sign or sign suspended from a balloon is a prohibited sign.~~

~~Temporary balloon signs used in a special community event specifically authorized by the Town Commission shall not be prohibited by these regulations.~~

~~**Banner sign:** A sign with or without any text, composed of fabric or plastic, and suspended from or attached to a pole or structure by wire, string, brackets or grommets. Pennants are included within this definition of a banner sign. A banner sign shall not exceed 32 square feet in sign area. A temporary sign permit for one banner sign may be issued for a period not to exceed 14 days to announce the opening of a business, a change of business name or an annual church event. A temporary sign permit for use of banner signs shall not be required for a special community event specifically authorized by the Town Commission.~~

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

~~**Box sign:** A sign, constructed like a box, with sign copy carved or routed into an opaque plastic, metal, stone or masonry face.~~

~~A box sign with sign copy painted on to or applied to a plastic or glass face is a cabinet sign.~~

~~Routed sign letters may be back faced with translucent plastic or glass to protect the inside of the sign and to shield lighting elements.~~

~~A box sign shall not exceed 32 square feet in sign area.~~

~~A box sign may be used as a monument sign, hanging sign, name and address sign, building identification sign, directory sign, informational, directional or traffic control sign wall sign, window sign, pole or pylon sign or roof sign.~~

~~**Building or development identification sign:** A sign displaying only the name and/or address of a building or development.~~

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

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

- (a) Signs placed upon awnings may consist of fabric, or thermally applied letters, the copy of which shall not exceed the permitted wall sign area.
- (b) Internally illuminated, transparent or translucent canopies and awnings used as signs are prohibited.
- (c) Any canopy or awning ~~that extends over a public sidewalk~~ must be fire-proofed~~,\_.~~
- (d) Any canopy or awning shall have at least seven feet of clearance above the sidewalk~~,\_.~~
- (e) Any canopy or awning shall be setback at least five feet from the edge of pavement of the adjoining street~~,\_and~~
- (f) Any canopy or awning must comply with section 30-326 of the Code of Ordinances prior to applying for a sign permit.

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

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

**Contractor sign:** ~~A temporary sign, posted upon property or a building with an active building permit, listing only the name and/or type of development and/or the name and phone number of the developer, contractor, architect, engineer, landscape architect, planner and/or realtor.~~

~~A contractor sign shall not exceed 16 square feet in size.~~

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

**Directory sign:** ~~A single or double face sign, consisting of the name of the building or development and the names and unit numbers of tenants in a multiple tenant building or development.~~

- (a) A directory sign may use a changeable copy.
- (b) Free-standing ~~D~~ directory signs erected after March 7, 2001 ~~the effective date of this article~~ shall not exceed six feet in height, including the support structure.
- (c) Any ~~D~~ directory signs shall not exceed 32 square feet in size. ~~and~~
- (d) ~~a ground-mounted~~ A freestanding directory sign shall be set back at least five feet from any street right-of-way.

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

**Hanging sign:** A double face sign hanging from a canopy, awning, or roof overhang and oriented perpendicular to the nearest building wall.

- (a) One hanging sign is permitted for each business use located in a multitenant building.
- (b) One hanging sign is permitted for each nonresidential use in a freestanding building.
- (c) A hanging sign may be attached to any portion of a building, however, in no case shall the hanging sign project greater than three feet from the building face that it is perpendicular to.
- ~~(d) Any A~~ hanging sign that extends over a public sidewalk shall have at least ~~seven~~ eight feet of vertical clearance above the sidewalk and must comply with section 17-9 of the Code of Ordinances and obtain a right-of-way encroachment permit approval prior to applying for a sign permit.
- (e) Any hanging sign shall be setback at least five feet from the edge of pavement of the adjoining street.
- (f) A hanging shall not be located in such a manner that the highest point of the sign area exceeds 18 feet as measured from the nearest sidewalk or crown of the road, whichever is higher.
- (g) A hanging sign that is double-faced shall have two identical sign faces.
- ~~(h) The sign area of a hanging sign shall be a maximum of six square feet. In determining the sign area of a double-faced hanging sign, the single sign face shall be used.~~
- (i) Perpendicular signs, projecting signs, and blade signs are subject to the regulations for hanging signs.

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

**Informational, directional or traffic control sign:**

~~A noncommercial sign erected and maintained by the Town, County or State, or any agency thereof, or specifically provided for a facility licensed with the Town, to denote the name of any thoroughfare, route directions, educational institution, public building, park, recreational facility or hospital; to provide multi-modal transportation facility ownership and operational directions; to direct and regulate traffic; to denote any transportation or transmission company for the direction or safety of the public; or to provide any other governmental information.~~

~~A noncommercial sign located on and relating to an activity on the premises upon which the sign is located, providing information to pedestrian and vehicular traffic, e.g., "entrance," "exit," "caution" and "no trespassing."~~

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

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

**Menu Board sign:** A sign placed on a door, wall or column outside of a restaurant and containing only a copy of the menu or daily specials.

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

**Monument sign:** A permanent free-standing stone, masonry or metal ground sign where the entire bottom of the sign is affixed to the ground or where the sign is placed upon a permanent free-standing masonry wall section not exceeding six feet in height and

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

**Name sign:** A sign containing only the name and unit number or letter of the person, entity or business occupying the premises.

**Neon sign:** Any type of sign that utilizes exposed neon, argon or any other gaseous or liquid element or compound as a direct means of illumination.

Neon, argon or other gaseous or liquid element or compound utilized for illumination that is covered by a translucent material, or otherwise concealed from direct view, shall not be considered to be a neon sign.

Exposed neon, argon or any other gaseous or liquid element or compound utilized for illumination used solely to accent or illuminate architectural features of a building shall not be

considered a sign, if authorized by the Town Commission as part of the site plan approval for the development.

Window neon signs are subject to special regulations as hereinafter set forth:

~~Window neon signs shall be considered temporary signs and shall require an annual license from the Town. All licenses for window neon signs shall expire on the thirtieth day of September of each year. Each window neon sign shall require a separate license.~~

**Neon signs** shall only be permitted in the B1 and B1A districts, ~~provided~~ subject to the following restrictions:

~~(1)~~

~~(a)~~ A business shall be allowed to have up to a maximum of three neon signs per street frontage, one of which may be an exterior sign;

~~(b)~~ A neon sign that is attached to or placed within ten feet of the inside of a window and oriented toward the window shall be counted toward the total number of window signs permitted by this Article VIII - Sign Regulations, and shall be subject to the regulations for window signs as set forth herein.

~~(4)~~

~~(c)~~ An exterior neon sign may only display the name of the business or the business' logo;

~~(5)~~

~~(d)~~ The depiction of any part of the human body is prohibited; and

~~(6)~~

~~(e)~~ Signs may remain illuminated only during the business hours of the business, or 10:00 p.m., whichever is later.

~~(f)~~ Window neon signs shall also considered temporary signs and shall require an annual license from the Town. All licenses for window neon signs shall expire on the thirtieth day of September of each year. Each window neon sign shall require a separate license. be subject to the following regulations:

~~1) Window signs shall require an annual license from the Town.~~

~~Each window neon sign shall require a separate license.~~

~~All licenses for window neon signs shall expire on the thirtieth day of September of each year.~~

1) No neon window sign may exceed four square feet unless it displays solely the name of the business;

2) The total area of the neon window signs shall not exceed the lesser of 12 square feet or 25 percent of the area of the total window space on the street frontage;

~~**New development and redevelopment:** For the purposes of article VI., Sign Regulations, the terms new development and redevelopment shall have the following meanings:~~

~~**New development: means** t The construction of a building or parking lot upon a vacant or cleared plot.~~

~~**Redevelopment means:** (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."

- (a) All painted signs shall be professionally applied.
- (b) ~~"Handmade" or stenciled signs are prohibited for use as permanent signs, real estate signs, announcing signs, contractor signs or window signs.~~

**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 or Pylon sign:**

- (1) ~~Any new pole or pylon sign permitted within the RM-25 and RM 50 zoning districts, shall meet the criteria for pole or pylon signs as provided below:~~
  - i. ~~The sign area box or panel of a pole or pylon sign shall not exceed 32 square feet in size.~~
  - ii. ~~There shall be no more than one pole or pylon sign per street frontage per property.~~
  - iii. ~~All pole and pylon signs shall be set back at least five feet from any property line or right-of-way.~~
  - iv. ~~The setback required for a pole or pylon sign shall be measured from whichever portion of the pole, pylon, or sign area is closest to the property line.~~
  - v. ~~Any pole sign located within 30 feet of a street intersection or within 15 feet of the intersection of a parking space and a driveway or street shall maintain seven feet of clearance between the ground and the bottom of the sign area box or panel.~~
  - vi. ~~No pylon sign may be placed within 30 feet of a street intersection or in any location that would obstruct cross-visibility at a driveway intersection or would obstruct cross-visibility for back-out parking.~~
  - vii. ~~The support poles of pole signs shall not exceed a width or diameter of 18 inches.~~
  - viii. ~~Pylon signs shall be limited to one pylon with a width or diameter not to exceed four feet.~~
  - ix. ~~The height of the top of a pole or pylon sign shall not exceed 15 feet above the crown of the nearest street.~~
- (2) ~~Replacement of legal, nonconforming pole and pylon signs in any district shall be in conformance with Sec 30-510, Nonconforming signs.~~

~~A sign mounted upon one or two vertical poles, either free standing or extending above another structure.~~

Except as provided in the RM-25 and RM-50 districts, properties that did not have pole signs on March 27, 2001 and did not have them within the two years preceding that date shall not be permitted to erect or maintain pole signs.

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. Political signs may not be erected upon government owned or leased property.

The sign shall be of a temporary nature and shall not exceed an overall size of two feet by three feet. No permit shall be required for such sign; however, the person in charge of the campaign or the company erecting the sign shall be responsible for removing the signs within seven days after the date of the election.

No political signs or placards shall be permitted to be erected or placed upon parkways, utility poles, or trees.

**Portable advertising signs for businesses adjoining a roadway under construction:** A temporary sign, not exceeding 16 square feet in area, allowed in the business and motel districts, to be posted adjacent to the road right-of-way during the period of road construction.

**Pylon sign:** A sign, mounted upon or on top of a vertical wall or pylon, that exceeds six feet in height, either free standing or extending above another structure.

Except as provided in the RM-25 and RM-50 districts, properties that did not have pylon signs on March 27, 2001 and did not have them within the two years preceding that date shall not be permitted to erect or maintain pylon signs.

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

The name and phone number of the person or company responsible for placing and removing the sign shall be listed on the sign.

Real estate signs located in residential zoning districts shall be no larger than 24 inches wide by 18 inches high mounted upon the ground, and shall not exceed three feet in height and shall be mounted with a frame or holder and post.

Real estate signs located in nonresidential zoning districts shall be no larger than six square feet in size and, if mounted upon the ground, such sign shall not exceed six feet in height and shall be mounted with a frame or holder and post, or if mounted upon a wall or within a window, such sign shall not be placed higher than 24 feet above the ground.

Properties shall be limited to one real estate sign per street frontage.

Waterfront properties may display one additional sign facing the water.

No real estate sign may be placed on public property or right-of-way.

Real estate signs placed on or for property which is for sale or lease, during a period of open viewing ("open house" signs) may only be posted during the hours of the open house and may only be posted on private property with the permission of the property owner.  
All real estate signs must be removed upon closing or leasing of a property which had been for sale or lease.

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

**Roof sign:** A sign mounted above the fascia of a sloped roof or above the deck of a flat roof.

- ~~(a)~~ A sign placed upon a bona fide tower extending above the principal roof line of the building or upon a dormer or recessed wall within a sloped roof shall not be considered a roof sign.
- ~~(b)~~ Roof signs are permitted but not encouraged.
- ~~(c)~~ (a) Roof signs shall not be permitted if either wall or awning signs can be placed upon a building.
- ~~(d)~~ (b) New development and redevelopment shall not be permitted to erect or maintain roof signs. No roof signs are permitted on any property with a pole or pylon sign.
- ~~(e)~~ (c) No roof sign shall exceed 32 square feet in size, four feet in height vertically or 14 feet in length.
- ~~(f)~~ (d) Roof signs shall be mounted on the parapet wall of a flat roof or on a solid supporting panel on a sloped roof.
- ~~(g)~~ (e) Roof signs shall not be mounted on visible poles or brackets.
- ~~(h)~~ (f) Multiple roof signs on the same building shall be the same design, size, shape and color.

**Sandwich sign:** ~~See Valet Parking and or Paid Private Parking Sandwich Sign standards.~~ A movable, portable, free-standing sign not secured or attached to the ground that can be folded and carried by an individual. The sign panels of a sandwich sign shall not exceed 28 inches by 36 inches in size. The sandwich sign may only be utilized for a licensed valet establishment and for paid private parking but for no other purpose. Sandwich signs shall also comply with the following:

- ~~(1)~~ The sign and letters shall be manufactured. Handwritten signs are prohibited.
- ~~(2)~~ The sign shall be constructed of weather resistant materials and shall not contain, foil, mirrors, bare metal or other reflective materials that could create hazardous conditions to motorists.
- ~~(3)~~ The sign shall not contain lights of any kind or streamers, balloons, ribbons, pennants, wind socks or other similar devices designed to move in the wind.
- ~~(4)~~ The sign shall be placed on private property only. If the sign is placed in an area open to pedestrians, the sign shall be located such that a clear pedestrian walkway or path or at least four feet is maintained, free of obstruction.
- ~~(5)~~ The sign shall not be placed so as to obstruct vehicular traffic sight distance triangle requirements.
- ~~(6)~~ The sign may be erected only during the hours of operation of the establishment when the business or service is open to the public.
- ~~(7)~~ The sign shall be removed when winds are strong enough to move the sign.

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

Noncommercial paintings or murals displayed for purely decorative, historical or architectural purposes are not signs.

A mural containing advertising, text or logos, or copyrighted, trademarked or service marked characters, objects or products advertised in print or media advertising is a sign.

Architectural lighting designed to illuminate building walls, architectural features or landscaping is not a sign.

Strip or string lighting placed in or around windows is a prohibited sign.

**Sign area:** The area of a square or rectangle encompassing all of the text, copy, symbols and logos displayed on a sign.

The total sign area of all signs attached to the wall, canopy and/or awnings of a building face shall not exceed 15 percent of the area of that building face.

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

In the case of a building with a sloped roof, the area of the building face shall be measured from the elevation of the nearest sidewalk or crown of the road to the midpoint of a sloped roof.

The sign area of a double faced sign, with identical faces mounted on opposite sides of the same sign panel or box, is the area of only one of the two identical faces.

**Sign height:** The elevation of the highest point of the sign area above the nearest sidewalk or roadway crown.

**Sign letter size:** The size of an individual letter or symbol in any window sign copy shall not exceed 12 inches in height or width and 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:

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;

The sign letter size may be increased by one inch for each 25 feet above the elevation of the nearest sidewalk or roadway that the sign is mounted; and

In a sign with both upper and lower case letters, the maximum letter size of one upper case letter in each word may be increased 20 percent provided that the letter size of the lower case letters is reduced 20 percent.

**Sign size:** The overall size of the sign box or panel of a pole, box, cabinet, roof, hanging or window sign.

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

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

~~A special event sign shall not exceed 32 square feet in size, shall not be posted for more than 14 days.~~

~~A temporary sign permit for a special event sign shall not be issued for the same property or location more than four times per year without the approval of the Town Commission.~~

~~**Subdivision and residential development identification sign:** A sign erected at the entrance to a neighborhood or residential development displaying only the official name and address of the neighborhood or residential development.~~

~~(a) Subdivision and residential development identification signs shall not exceed six feet in height or 32 square feet in sign area per sign face.~~

~~(b) One two-face sign may be permitted in the median of a divided entrance or one single-face sign shall be permitted on each side of a street entrance to a named residential neighborhood or of a street-type driveway entrance to a multi-family development.~~

~~(c) The sign shall not be located within any utility or drainage easements, or within **any cross-a sight** visibility triangle or safe recovery area for a street.~~

~~(d) All proposed subdivision and residential development identification signs shall be subject to site plan approval pursuant to article IV of the Land Development Code.~~

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

~~Temporary signs may be constructed of wood, metal and/or plastic, and may use flat, painted or printed text and designs.~~

~~Window neon signs shall be considered temporary signs, regardless of the material used in their construction.~~

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

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

~~(a) A vacancy/no vacancy **/rental availability** sign shall not exceed two square feet in sign area, and~~

~~(b) A vacancy/ no vacancy **/rental availability sign** may be directly or indirectly illuminated or changeable copy.~~

**Valet Parking or Paid Private Parking Sandwich sign:** A movable, portable, free-standing sign not secured or attached to the ground that can be folded and carried by an individual. The sign panels of a sandwich sign shall not exceed 28 inches by 36 inches in size.

- (a) A sandwich sign may only be utilized for a licensed valet establishment and/or for paid private parking.
- (b) Sandwich signs shall also comply with the following:
  - (1) The sign and letters of a sandwich sign posted for a licensed valet establishment and for paid private parking shall be manufactured.
  - (2) Handwritten signs are prohibited.
  - (3) The sign shall be constructed of weather resistant materials and shall not contain, foil, mirrors, bare metal or other reflective materials that could create hazardous conditions to motorists.
  - (4) The sign shall not contain lights of any kind or streamers, balloons, ribbons, pennants, wind socks or other similar devices designed to move in the wind.
  - (5) The sign shall be placed on private property only. If the sign is placed in an area open to pedestrians, the sign shall be located such that a clear pedestrian walkway or path of at least four feet is maintained, free of obstruction.
  - (6) The sign shall not be placed so as to obstruct vehicular traffic sight distance triangle requirements.
  - (7) The sign may be erected only during the hours of operation of the establishment when the business or service is open to the public and shall be removed at the end of the business day.
  - (8) The sign shall be removed when winds are strong enough to move the sign.
  - (9) The sign panels of a sandwich sign shall not exceed 28 inches by 36 inches in size.

**Vehicle or trailer sign:** A prohibited sign advertising a business or product, mounted on, or attached to a motor vehicle or trailer which is parked for more than 12 hours at the same location or parked on more than three consecutive days at the same location as the business or product which is being advertised.

A vehicle parked inside a garage, parked behind the building, or a passenger vehicle displaying a name and telephone number with letters no more than four inches in height is not a vehicle sign as described above.

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

- (a) Each principal building shall be allowed one wall sign on each wall facing a public vehicular use area.
- (b) A commercial building located within the B-1-A or B-1 zoning district that has a building wall facing a private vehicular use area located on a side of the building other than its primary lot frontage, may be allowed up to three additional wall signs (“end signs”) (no more than one per tenant) provided the building wall is not facing a single or multifamily residential use. End Signs

must be for uses within the building. The cumulative total of the End Signs shall not exceed 16 square feet which sign area shall not be included in the total building signage. A single tenant commercial use building located in the B-1-A or B-1 zoning districts may combine a permitted wall sign and building identification sign into a single wall sign not exceeding 48 square feet in sign area.

- (c) The wall sign shall be an integral part of the façade composition and be consistent with the building's architecture.
- (d) Consistency of wall signs in a single building is encouraged.
- (e) The building wall may serve as the sign background.
- (f) A building wall sign may be front lit, back lit, or internally lit.

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

**Window:** For the purpose of these regulations, a window shall be defined as that portion of a first or second floor facade consisting of a transparent, glass-like material designed to provide viewing of the interior from the exterior of the building shall be no less than 75 percent transparent from the exterior.

The area of a single window includes contiguous window panels separated by dividers less than six inches in width.

Contiguous window panels separated by dividers greater than six inches in width, separated by a doorway or separated by the corner of a building shall be considered separate windows. A glass door or pair of doors shall be considered a separate window.

**Window sign:** A sign attached to or placed within ten feet of the inside of a window and oriented toward the window.

- (a) Window signs may be applied to the interior surface of glass only.
- (b) No more than three window signs of any type shall be displayed in any single window.
- (c) A bulletin board, displayed inside a window, and upon which notices, advertisements, specials, listings and the like are posted, shall be considered a single window sign.
- (d) A window sign shall not exceed 15 square feet in sign **size area**.
- (e) Window signs shall not obstruct more than 25 percent of the total area of the window within which **the window signage** is placed.
- (f) Merchandise in display windows shall not be considered window signs.
- (g) Customary price tags and labels not exceeding 15 square inches each in size on merchandise in display windows shall not be considered window signs.
- (h) **Strip or string lighting placed in or around windows is a prohibited window sign.**
- (i) **Neon window signs shall be counted toward the total number, square feet and total area permitted for window signs, and subject to the regulations for window signs as provided herein.**
- (j) **When located in the CF or P zoning district, window signs shall be restricted to one window sign per street frontage, and shall be placed in first floor windows only.**

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

**(a)***RS-5 and RD-10 districts.* Only the following types of signs are permitted within the RS-5 and RD-10 zoning districts, subject to the limitations and requirements contained in the definitions and restrictions **and standards** by sign type and the general design standards sections of these regulations, and subject to the additional limitations stated below:

**(1)** Private informational, directional and traffic control signs.

**(2)** Name and address signs:

- a.** One resident name sign per dwelling unit, including any exempt name sign, to be placed on the building and not to exceed two square feet in sign area.
- b.** One address sign per address, including any exempt address sign, shall be placed on the building, fence, wall or mail box, be visible from the street and shall not exceed two square feet in sign area.

**(3)** Subdivision and residential development identification signs: Only if location and other aspects of such signs has been previously approved by the Town Commission pursuant to site plan approval procedures.

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

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

- a.** *Temporary contractor signs:* One sign per plot to be set back at least five feet from any right-of-way or property line.
- b.** *Temporary real estate signs:* To be set back at least five feet from any right-of-way or property line.
- c.** *Temporary special event signs:* Two signs per neighborhood to be set back at least five feet from any right-of-way or property line.

**(b)***RM-25 and RM-50 districts.* Single-family and duplex residences and plots located in the RM-25 district shall be subject to the sign regulations as listed for the RS-5 and RD-10 districts listed above.

Only the following types of signs are permitted within the RM-25 and RM-50 districts, subject to the limitations and requirements contained in the definitions and restrictions **and standards** by sign type and the general design standards sections of these regulations, and subject to the additional limitations stated below:

**(1)** Private informational, **wayfinding**, directional and traffic control signs.

**(2) Name and address signs:**

- a.** One resident name sign per dwelling unit, including any exempt name sign, to be placed on the dwelling unit and not to exceed two square feet in sign area.
- b.** One occupant address sign per address, including any exempt address sign, to be placed on the building or mail box and not to exceed two square feet in sign area.
- c.** One building address sign per building to be placed on the building and not to exceed a total of six square feet of sign area.
- d.** Every building shall display an address sign that is clearly visible from the street. Buildings that have rear door access to an alley or parking lot shall also display an address sign that is clearly visible from the alley or parking lot.

**(3) Subdivision and residential development identification signs:** Only if approved by the Town Commission pursuant to site plan approval procedures.

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

**(5) Temporary political signs:** to be set back at least five feet from any right-of-way or property line.

**(6) In addition, each multi-family or non-residential use:**

- i.** ~~May~~ display no more than two of the following permanent signs, with a combined total sign area of not more than 32 square feet, per street frontage, and the total sign area of all signs attached to the wall, canopy and/or awnings of a building face shall not exceed 15 percent of the area of the building facade. ~~In the case of a building with a flat roof, the area of the building face shall be measured from the elevation of the nearest sidewalk or crown of the road to either the deck of a flat roof or top of the parapet wall, whichever is higher. In the case of a building with a sloped roof, the area of the building face shall be measured from elevation of the nearest sidewalk or crown of the road to the midpoint of a sloped roof.~~
- ii.** If a hotel or motel takes over an adjoining hotel or motel, then the combined hotel or motel is entitled to 16 additional square feet of separate wall or awning sign area; the existing signs shall not be increased in size by this additional footage.

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

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

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

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

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

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

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

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

**a. Temporary announcing sign:** One sign per plot to be set back at least five feet from any right-of-way or property line.

**b. Temporary contractor signs:** One sign per plot to be set back at least five feet from any right-of-way or property line.

**c. Reserved.**

**d. Temporary portable advertising signs for a use businesses adjoining a roadway under construction:** One sign per frontage of a street under construction, not exceeding 16 square feet in sign size area, to be posted adjacent to the road right-of-way during the period of road construction.

**e. Temporary real estate signs:** To be set back at least five feet from any right-of-way or property line.

**f. Temporary special event signs:** Two signs per block to be set back at least five feet from any right-of-way or property line.

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

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

**(2)** Private informational, wayfinding, directional and traffic control signs.

**(3)** Menu board sign: One sign per licensed restaurant per street frontage.

**(4)** Name and address signs:

- a.** One occupant name sign per dwelling unit or business, excluding any exempt rear door name sign, to be placed on the dwelling unit or business and not to exceed two square feet in sign area;

- b.** ~~e~~ One occupant address sign per address, excluding any exempt rear door address sign, to be placed on the building or mail box and not to exceed two square feet in sign area;
- c.** ~~e~~ One building address sign per building to be placed on the building and not to exceed a total of six square feet of sign area. Every building, and every business with a separate, ground floor, street-side entrance, shall display an address sign that is clearly visible from the street.
- d.** Buildings that have rear door access to an alley or parking lot shall also display an address sign that is clearly visible from the alley or parking lot.

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

**(6) Temporary political signs.**

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

- i.** ~~May~~ May display no more than two of the following permanent signs, with a combined total sign area of not more than 32 square feet per street frontage, and the total sign area of all signs attached to a building shall not exceed 15 percent of the area of the building facade, except as otherwise permitted for wall signs as provided herein. ~~In the case of a building with a flat roof, the area of the building face shall be measured from the elevation of the nearest sidewalk or crown of the road to either the deck of a flat roof or top of the parapet wall, whichever is higher. In the case of a building with a sloped roof, the area of the building face shall be measured from elevation of the nearest sidewalk or crown of the road to the midpoint of a sloped roof.~~
- ii.** Multiple businesses occupying a single storefront bay must share the permitted total number and sign area of signs.
- iii.** If a store front business takes over the entire adjoining store front space vacated by another business, then that new business is entitled to either 16 additional square feet of wall or awning sign area, or if the store front business is taking over an entire adjoining store front space vacated by another business, the new business may use the existing roof signage that the old business used provided that the structure of the roof sign is not altered.

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

**b. Directory signs:** One sign per street frontage for a multi-tenant office, multi-tenant retail or governmental building only.

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

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

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

~~f. Pole or pylon signs (if legal nonconforming signs): No new pole or pylon sign may be erected after March 27, 2001 unless it is a replacement sign meeting the requirements of this article.~~

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

**gh. Wall signs:**

- i. With a sign height no greater than 35 feet.
- ii. A commercial building located within the B-1-A or B-1 zoning district that has a building wall facing a private vehicular use area located on a side of the building other than its primary lot frontage, may be allowed up to three additional wall signs (“end signs”) (no more than one per tenant) provided the building wall is not facing a single or multifamily residential use. End Signs must be for uses within the building. The cumulative total of the End Signs shall not exceed 16 square feet which sign area shall not be included in the total building signage.
- iii. A single tenant building may combine a permitted wall sign and building identification sign into a single wall sign not exceeding 48 square feet in sign area.

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

- a.** *Temporary announcing signs:* One sign per plot;
- b.** *Temporary contractor signs:* One sign per plot;
- c.** *Temporary portable advertising signs for ~~a use businesses~~ adjoining a roadway under construction:* One sign per frontage of a street under construction, not exceeding 16 square feet in sign sign **size area**, allowed in the business and motel districts, to be posted adjacent to the road right-of-way during the period of road construction;
- d.** *Temporary real estate signs;*
- e.** *Temporary special event signs:* Two signs per block;
- f.** *Temporary banner sign.*

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

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

**(2)** Name and address signs:

- a. One occupant name sign per building, excluding any exempt rear door name sign, to be placed on the building and not to exceed two square feet in sign area.

- b. One occupant address sign per address, excluding any exempt rear door address sign, to be placed on the building or mail box and not to exceed two square feet in sign area.
- c. One building address sign per building to be placed on the building and not to exceed a total of six square feet of sign area. Every building shall display an address sign that is clearly visible from the street.
- d. Buildings that have rear door access to an alley or parking lot shall also display an address sign that is clearly visible from the alley or parking lot.

~~(3)Reserved.~~

**(3)**Window signs: One window sign per street frontage, placed in first floor windows only.

**(4)**In addition, each building may display no more than two of the following permanent signs, with a combined total sign area of not more than 32 square feet per street frontage, and the total sign area of all signs attached to a building shall not exceed 15 percent of the area of the building facade. ~~In the case of a building with a flat roof, the area of the building face shall be measured from the elevation of the nearest sidewalk or crown of the road to either the deck of a flat roof or top of the parapet wall, whichever is higher. In the case of a building with a sloped roof, the area of the building fact shall be measured from elevation of the nearest sidewalk or crown of the road to the midpoint of a sloped roof:~~

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

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

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

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

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

**f.***Monument signs:* One sign with one or two faces per street frontage, only on a plot with 200 or more feet of continuous frontage on the same street.

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

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

**a.***Temporary announcing signs:* One sign per plot to be set back at least five feet from any right-of-way or property line.

**b.***Temporary contractor signs:* One sign per plot to be set back at least five feet from any right-of-way or property line.

**c.***Temporary real estate signs:* To be set back at least five feet from any right-of-way or property line.

d. *Temporary special event signs:* Two signs per block to be set back at least five feet from any right-of-way or property line.

e. *Temporary banner signs.*

DRAFT

**Sec. 30-501, 509 Administration and permits.**

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

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

- (1) Address and legal description of the property upon which the sign is to be placed;
- (2) Name and address of the owner of the property upon which the sign is to be placed;
- (3) Written permission of the owner of the property to erect or place the proposed sign;
- (4) A drawing or sample of the proposed sign, to scale, showing the dimensions, letter size, colors, materials, structural support, and lighting, if any;
- (5) If lighting is proposed, information regarding the type and intensity of the proposed illumination to document compliance with the sign illumination restrictions of these regulations;
- (6) A plan showing the proposed location on the ground or building and the mounting height of the proposed sign, along with a color photograph of the proposed location;
- (7) The cost or value of the proposed sign; and
- (8) Any other plans or information required by the Development Services Department for any related structural permit or electrical permit.

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

- (1) No application shall be accepted until it is deemed complete by the Department.
- (2) The Department shall review all of the information submitted to determine conformity with this article and applicable sections of the Florida Building Code, including the location of the proposed sign.
- (3) The submitted application will be reviewed within 20 business days and any corrections, revisions or deficiencies provided to the applicant within that 20-day period.
- (4) Upon each re-submittal of corrected plans, the Department shall have ten business days to review the application and provide any corrections, revisions or deficiencies to the applicant.

This process shall continue until the applicant has submitted a complete application or demands that the application be reviewed as is, without further revisions.

(5) If an applicant fails to provide additional information as requested by the Department within two (2) months of the request or respond to the Department with a time when the information will be submitted, the application shall be deemed to be withdrawn by the applicant.

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

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

#### Sec. 30 - 510 Nonconforming Signs.

~~(e)~~

(a) Nonconforming signs. Except a pole or pylon sign meeting the criteria and conditions of subsection (b) below, any previously permitted, existing sign that does not conform to the provisions of these regulations shall be removed or brought into conformance with these regulations:

- (1) upon new development or redevelopment as defined in Sec. 30-513; or
- (2) within ten (10) years of ~~2012~~ [the effective date of this article; whichever occurs earlier.

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

(1) Upon new development or redevelopment of a site, any existing pole or pylon signs must be removed and may not be replaced under subsection (2) or (3), below

(2) Legal, nonconforming pole or pylon signs meeting the criteria of this section may be replaced only under the following conditions:

- i. The sign ~~area box or panel~~ of a pole or pylon sign shall not exceed 32 square feet in size.
- ii. There shall be no more than one pole or pylon sign per street frontage per property.
- iii. All pole and pylon signs shall be set back at least five feet from any ~~property line or~~ right-of-way.

- iv. ~~The setback required for a pole or pylon sign shall be measured from whichever portion of the pole, pylon, or sign area is closest to the property line.~~
- v. Any pole sign located within 30 feet of a street intersection or within 15 feet of the intersection of a parking space and a driveway or street shall maintain seven feet of clearance between the ground and the bottom of the sign ~~area box or panel.~~
- vi. No pylon sign may be placed within 30 feet of a street intersection or in any location that would obstruct cross-visibility at a driveway intersection or would obstruct cross-visibility for back-out parking.
- vii. The support poles of pole signs shall not exceed a width or diameter of 18 inches.
- viii. Pylon signs shall be limited to one pylon with a width or diameter not to exceed four feet.
- ix. The height of the top of a pole or pylon sign shall not exceed 15 feet above the crown of the nearest street

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

- i. The proposed pole or pylon sign is replacing an existing legal, nonconforming pole or pylon sign.
- ii. The design and colors of the proposed sign shall be coordinated with the design and colors of any buildings on the premises.
- iii. The pole(s) of the proposed pole sign and the pylon of the proposed pylon sign shall have architectural treatment or be screened by lattice-work and/or landscaping that will, to the satisfaction of the Town Commission, ensure that the proposed sign is aesthetically compatible with adjoining development.

**Sec. 30-509-511. - Fee schedule.**

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

**Sec. 30-510 512. - Severability.**

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

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

**(c)**This subsection shall not be interpreted to limit the effect of subsections (a) or (b) above, or any other applicable severability provision in this Code or any adopting ordinance. The Town Commission specifically intends that severability shall be applied to prohibited signs so that each of the prohibited sign types listed in the Town Code in [section 30-505](#) and [section 30-507](#) shall continue to be prohibited irrespective of whether another or any sign prohibition is declared unconstitutional or invalid.

**(d)**This subsection shall not be interpreted to limit the effect of subsections (a), (b) or (c) above, or any other applicable severability provision in this Code or any adopting ordinance. The Town Commission specifically intends that severability shall be applied to [section 30-505](#) and [section 30-507](#) of the sign regulations so that if all or any of such provisions are declared unconstitutional or invalid by the final and valid judgment of any court of competent jurisdiction, the Town Commission intends that such declaration shall not affect any other prohibition on animated, flashing or billboard signs in the aforesaid sections.

## **Sec. 30- 513. DEFINITIONS:**

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

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

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

**Announcing sign:** A temporary sign announcing the opening of a business, the future development of property or an upcoming event or activity.

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

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

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

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

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

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

**Building or development identification sign:** A sign displaying only the name and/or address of a building or development.

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

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

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

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

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

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

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

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

**Feather sign:** A professionally produced temporary lightweight sign comprised of nylon, canvas, vinyl, or polyester fabric that contains language for advertisement, greeting or similar messaging purposes and that is affixed to support structure, such as a metal pole, in such a manner that allows movement of the banner and where such sign is located outdoors. Such signs may be referred to as "flutter", "tear drop", "flying", "wing", "bow" signs.

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

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

**Hanging sign:** A hanging sign that is attached perpendicular to any portion of the primary building facade or attached to the underside of a building arcade or building canopy, which sign is attached by

brackets, cantilevered, or suspended in some similar manner. A hanging sign may be vertical or horizontal in its orientation. Perpendicular signs, projecting signs, and blade signs are also included in the definition of a hanging sign.

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

- (a) A noncommercial sign erected and maintained by the Town, County or State, or any agency thereof, or specifically provided for a facility licensed with the Town, to denote the name of any thoroughfare, route directions, educational institution, public building, park, recreational facility or hospital; to provide multi-modal transportation facility ownership and operational directions; to direct and regulate traffic; to denote any transportation or transmission company for the direction or safety of the public; or to provide any other governmental information.
- (b) A noncommercial sign located on and relating to an activity on the premises upon which the sign is located, providing information to pedestrian and vehicular traffic, e.g., "entrance," "exit," "caution" and "no trespassing."
- (c) A noncommercial sign within a development, or at the entrances thereto, showing the name(s) and directions to the locations of the subdivisions comprising the development, a sales office, etc.

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

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

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

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

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

**Mural:** A large picture, painting or graphic, with or without text, applied directly to an otherwise blank wall containing advertising, text or logos, or copyrighted, trademarked or service marked characters, objects or products advertised in print or media advertising. Noncommercial paintings or murals displayed for purely decorative, historical or architectural purposes are not signs.

**Name sign:** A sign containing only the name and unit number or letter of the person, entity or business occupying the premises.

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

**New development and redevelopment:** For the purposes of article VI., Sign Regulations, the terms new development and redevelopment shall have the following meanings:

- (a) **New development:** ~~means~~ The construction of a building or parking lot upon a vacant or cleared plot.
- (b) **Redevelopment means:** (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 advertising signs for a use businesses adjoining a roadway under construction:** A sign that is used for the purpose of advertising a business, hotel or motel, or other non-residential use during the period of construction of an adjacent roadway.

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

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

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

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

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

**Sign:** Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information to the public. Noncommercial paintings or graphics displayed for purely decorative, historical or architectural purposes are not signs.

**Snipe sign:** A sign which is tacked, nailed, taped, glued or otherwise attached to a tree, pole, fence, newsrack, trash receptacle, building wall or door or other object. Legal notices required by law are exempted.

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

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

**Subdivision and residential development identification sign:** A sign erected at the entrance to a neighborhood or residential development displaying only the official name and address of the neighborhood or residential development.

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

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

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

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

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

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

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

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

**Sec. ~~30-511~~ 30-514 - 30-530. - Reserved.**