

Item 2

Exhibit 3

Current Town Sign Code  
Regulations

Lauderdale-By-The-Sea, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >>  
Chapter 30 - UNIFIED LAND DEVELOPMENT REGULATIONS >> ARTICLE VIII. - SIGN  
REGULATIONS >>

**ARTICLE VIII. - SIGN REGULATIONS**

State law reference—Sign ordinances, authority not superseded by shall not conflict with State of [or] Federal law, F.S. § 166.0425.

Sec. 30-501 - Administration and permits.

Sec. 30-502 - Exempt signs.

Sec. 30-503 - Permitted signs.

Sec. 30-504 - Temporary signs.

Sec. 30-505 - Prohibited signs.

Sec. 30-506 - General design standards.

Sec. 30-507 - Definitions and restrictions by sign type.

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

Sec. 30-509 - Fee schedule.

Secs. 30-510—30-530 - Reserved.

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

- (a) These sign regulations shall be administered by the Building 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 as been issued by the Building 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 Building Department.
- (b) 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 Administration. 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 Building Department for any related structural permit or electrical permit.
- (c) Except when Commission approval is required pursuant to the provisions of this article of the Code, the decision of the Building 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 Building Department.
- (d) 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 the when the Town has determined that the sign (except a pole or pylon sign) 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.

(Ord. No. 465, § 2, 3-27-01; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

**Sec. 30-502. - Exempt signs.**

The following types of signs are exempt from the provisions of these regulations:

- (1) Any sign not visible from any adjoining street, property 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 (1) clock or time and temperature indicator 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;
- (6) Legal notices required to be posted by law or ordinance;
- (7) Name and address signs with letters or numerals no more than six inches in height;
- (8) "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;
- (9) "No parking" and "no trespassing" signs no larger than four square feet in size;
- (10) "Reserved", lettering or numbers applied to parking space wheel stops;
- (11) Signs required to be posted by a government regulation or law enforcement agency;
- (12) Temporary signs of any type used as part of a special community event or fair, which has been specifically authorized by the Town Commission;
- (13) Informational, directional, hazard and traffic control signs installed by a government agency; and
- (14) Private warning or danger signs for a bona fide hazard only, no larger than four square feet in size.

(Ord. No. 465, § 2, 3-27-01; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

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

The following types of 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 Building Department:

- (1) Box signs;
- (2) Building or development identification signs;
- (3) Cabinet signs;
- (4) Canopy and awning signs;
- (5) Directory sign;
- (6) Hanging signs;
- (7) Informational, directional and traffic control signs;
- (8) Changeable copy signs;
- (9) Menu board signs;
- (10) Monument signs;
- (11) Name and address signs;
- (12) Neon signs;
- (13) Painted signs;
- (14) Pole signs;
- (15) Public service signs;
- (16) Pylon signs;
- (17) Roof signs;
- (18) Sandwich signs;
- (19) Subdivision and residential development identification signs;
- (20) Wall signs; and
- (21) Window signs.

(Ord. No. 465, § 2, 3-27-01; Ord. No. 468, § 2, 6-12-01; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

### **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, after issuance of a temporary sign permit by the Building Department:

- (1) Announcing signs;

- (2) Banner and pennant signs;
- (3) Contractor signs;
- (4) Garage sale or moving sale sign no larger than four square feet in sign size, limited to one sign per plot and displayed on the premises for no more than two days and no more than twice per year;
- (5) Off-premises signs;
- (6) Political signs (Note: Unlike other temporary signs, political signs do not require the issuance of a permit, 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.);
- (7) Portable advertising signs for businesses adjoining a roadway under construction;
- (8) Real estate signs;
- (9) Special event signs;
- (10) Window neon signs.

(Ord. No. 465, § 2, 3-27-01; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

### **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) Balloon signs;
- (4) Banner and pennant signs, except specifically permitted flags or temporary signs;
- (5) Billboards;
- (6) Paper signs, except as a window or interior sign, menu board sign or as a specifically permitted temporary sign;
- (7) Private signs of any type placed upon Town property or upon public right-of-way;
- (8) Sandwich sign;
- (9) Signs placed upon benches, trash receptacles or newsracks;
- (10) Signs placed on any beach or part thereof, except regulatory or warning signs;
- (11) Signs with unshielded lighting elements, except neon signs;
- (12) Snipe signs;
- (13) Stationary vehicle or trailer signs;
- (14) Strip of string lighting in or around windows, other than temporary holiday lighting;
- (15) Signs which no longer advertise or identify a business conducted, a service rendered or product sold; and
- (16) Any other type of sign not listed as a permitted sign or temporary sign.

(Ord. No. 465, § 2, 3-27-01; Ord. No. 468, § 3, 6-12-01; Ord. No. 476, § 2, 7-10-01; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

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

- (a) *Construction:* All permanent signs shall be constructed of durable, weather-resistant and fade-resistant materials. All permanent signs shall be professionally constructed or manufactured. All permanent signs, except those on single-family and duplex lots, shall be installed by a licensed contractor. All permanent signs shall be constructed and installed to conform to the requirements of the building code. 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. A separate electrical permit is required for any illuminated sign.
- (b) *Colors:* No florescent, phosphorescent, iridescent or reflective colors or paint may be used in any sign, except governmental informational, directional, traffic control or warning signs. The Building Department shall maintain a color sample palate of acceptable sign colors. Sign copy letters and numerals within the same sign shall be limited to no more than three colors. White shall not be counted as a color when used as the background of the sign. All permanent signs on the same building shall use the same color scheme. Sign color(s) shall be compatible with the color(s) of any building or wall upon which the sign is mounted. The sign wall of a monument or pylon sign and the box of a box, pole or pylon sign shall match the color of the building to which it is related. 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.

- (c) *Layout:* The size, location, and style of permanent signs shall be compatible with the buildings or locations where they are placed. Multiple signs of the same type for the same business shall be consistent in terms of location, style, size and letter size. New hotel, motel, business 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) *Items of information:* The items of information 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): 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. 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 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 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 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 information shall be permitted, in addition to the two allowable items.
- (e) *Substitution clause:* To ensure commercial and non-commercial signage are afforded equal protection under this article, any sign authorized in this article may contain either commercial or non-commercial copy.
- (f) *Sign illumination:* Illuminated signs may be indirectly or internally illuminated. All lighting elements or bulbs must be fully recessed or shielded within opaque or translucent covers. Wooden signs shall not be internally illuminated or have electrical fixtures attached directly to the sign panel. 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. 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. The intensity of illumination shall be limited to a maximum of 250 foot lamberts or 50 foot-candles within nonresidential districts. All transformer boxes, outlets and conduits relating to sign illumination shall be screened from exterior view. A separate electrical permit is required for any sign illumination.

(Ord. No. 465, § 2, 3-27-01; Ord. No. 468, § 4, 6-12-01; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

### **Sec. 30-507. - Definitions and restrictions by sign type.**

*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 ;l;flashing sign:* Any sign with elements that move, rotate or flash is prohibited. A clock, thermometer, 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. 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 event announcing sign shall not be issued more than twice per year for the same business.

*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.

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*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. 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.

*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. Signs placed upon awnings may consist of fabric, or thermally applied letters, the copy of which shall not exceed the permitted wall sign area. Internally illuminated, transparent or translucent awnings used as signs are prohibited. Any canopy or awning that extends over a public sidewalk must be fire-proofed, shall have at least seven feet of clearance above the sidewalk, shall be setback at least five feet from the edge of pavement of the adjoining street and must be approved by the Town Commission, along with an indemnification agreement providing for removal upon request of the Town Commission and proof of insurance in the amount of \$1,000,000.00 with the Town named as an additional insured party.

*Changeable copy sign:* A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged.

*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 directory sign may use a changeable copy. Directory signs erected after the effective date of this article shall not exceed six feet in height. Directory signs shall not exceed 32 square feet in size and a ground-mounted directory sign shall be set back at least five feet from any street right-of-way.

*Hanging sign:* A double face sign hanging from a canopy, awning, or roof overhang and oriented perpendicular to the nearest building wall. A hanging sign shall have two identical sign faces. Any hanging sign that extends over a public sidewalk shall have at least seven feet of vertical clearance above the sidewalk, shall be setback at least five feet from the edge of pavement of the adjoining street and must be approved by the Town Commission, along with an indemnification agreement providing for removal upon request of the Town Commission and proof of insurance in the amount of \$1,000,000.00 with the Town named as an additional insured party.

*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. A noncommercial sign permanently erected and maintained by the Town, County or State, or any agency thereof, to denote the name of any thoroughfare, route directions, educational institution, public building, park, recreational facility or hospital; 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.
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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 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. If a paper menu is used, it must be mounted under a protective glass or plastic cover. A menu board sign shall not exceed four square feet in size.

*Monument sign:* A free-standing stone, masonry or metal ground sign or a sign placed upon a free standing masonry wall section not exceeding six feet in height and listing only the name and address of the development or business. 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. 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.

*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. The Town Commission reserves the right to prohibit the use or display of window neon signs. Commission prohibition of window neon signs shall be enacted by ordinance amending this article of the Code, effective at the expiration of the then most current licensure period.

Neon signs shall be permitted in the B1, B1A and B2 districts, provided:

- (1) A business shall be allowed to have up to three neon signs per street frontage, one of which may be an exterior sign;
- (2) No neon window sign may exceed four square feet unless it displays solely the name of the business;
- (3) 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;
- (4) An exterior neon sign may only display the name of the business or the business' logo;
- (5) The depiction of any part of the human body is prohibited; and
- (6) Signs may remain illuminated only during the business hours of the business, or 10:00 p.m., whichever is later.

*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 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.

*Off-premises sign:* A temporary sign advertising or providing notice of products, services or activities being offered or conducted at a location different from where the sign is located. Off-premises signs include "open house", "garage sale" and similar signs. An off-premises sign shall not exceed four square feet in size. An off-premises sign permit must contain the name and phone number of the person responsible for placing and removing the sign. An off-premises sign shall not be placed upon public property or right-of-way. A temporary sign permit for an off-premises sign shall not be issued for a period of more than two days nor for the same location more than four times per year. A \$25.00 refundable removal deposit shall be posted with the Town for each permitted off-premises sign.

*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". All painted signs shall be professionally applied. "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 may be 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. Pole signs are permitted but are not encouraged. Properties that do not have pole signs at time of adoption of these regulations and have not had them within the two years preceding adoption shall not be permitted to erect or maintain pole signs. New development and redevelopment 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. The sign box or panel of a pole sign shall not exceed 32 square feet in size. There shall be no more than one pole or pylon sign per street frontage per property. All pole signs shall be setback at least five feet from any property line or right-of-way. 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. The support poles of pole signs shall not exceed a width or diameter of 18 inches. The height of the top of a pole sign shall not exceed 15 feet above the crown of the nearest street.

Pole 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:

- (1) The proposed pole sign is replacing an existing pole or pylon sign.
- (2) The design and colors of the proposed pole sign shall be coordinated with the design and colors of any buildings on the premises.
- (3) The pole(s) of the proposed pole 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.

*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.

*Public service sign:* A permanent non-commercial sign erected by the Town, a community service organization, or a homeowners or condominium association identifying a permanent community facility, service or program. The type, size and location of such a sign must be approved by the Town Commission.

*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. Pylon signs are permitted but are not encouraged. New development and redevelopment shall not be permitted to erect or maintain pylon signs. The sign box or panel of a pylon sign shall not exceed 32 square feet in size. There shall be no more than one pylon or pole sign per street frontage per property. All pylon signs shall be setback at least five feet from any property line or right-of-way. Pylon signs shall be limited to one pylon with a width or diameter not to exceed four feet. The height of the top of a pylon sign shall not exceed 15 feet above the crown of the nearest street. 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.

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 pylon sign to receive site plan approval:

- (1) The proposed pylon sign is replacing an existing pole or pylon sign.
- (2)

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

- (3) The pylon(s) 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.

*Real estate sign:* A temporary sign announcing an "open house" or "model home" on the premises 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.

*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. Roof signs are permitted but not encouraged. Roof signs shall not be permitted if either wall or awning signs can be placed upon a building. 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. No roof sign shall exceed 32 square feet in size, four feet in width or 14 feet in length. Roof signs shall be mounted on the parapet wall of a flat roof or on a solid supporting panel on a sloped roof. Roof signs shall not be mounted on visible poles or brackets. Multiple roof signs on the same building shall be the same design, size, shape and color.

*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 exceed not 16 square feet in size and shall be no taller than four feet in height. The sandwich sign may only be utilized for a licensed valet establishment and for no other purpose. A sandwich sign shall not be placed in a right-of-way, but may be placed on private property. A sandwich sign may be erected only during the hours of operation of the establishment.

*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. The flag of the United States of America is not a sign in any context. Non-commercial flags are not signs. Other flags or pennants shall be regulated as signs. Paintings or murals displayed for purely decorative, historical or architectural purposes are not signs. A mural containing advertising, text or logo's, 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 above 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:

- (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;
- (2) 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
- (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.

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*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. Subdivision and residential development identification signs shall not exceed six feet in height or 32 square feet in sign area per sign face. 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. The sign shall not be located within any utility or drainage easements, or within any cross visibility triangle or safe recovery area for a street. 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.

*Vacancy/no vacancy 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 vacancy/no vacancy sign shall not exceed two square feet in sign area, and may be directly or indirectly illuminated or changeable copy.

*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 on more than three consecutive days at the same location as the business or product which is being advertised, unless the vehicle is parked inside a garage or is parked behind the building. A passenger vehicle displaying a name and telephone number with letters no more than four inches in height is not a vehicle sign.

*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.

*Width:* The vertical dimension of a sign as measured in feet and inches.

*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 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. No more than three window signs of any type shall be displayed in any single 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. A window sign shall not exceed 15 square feet in sign size. Window signs shall not obstruct more than 25 percent of the total of the window within which it is placed. Merchandise in display windows shall not be considered window signs. Customary price tags and labels not exceeding 15 square inches each in size on merchandise in display windows shall not be considered window signs.

(Ord. No. 465, § 2, 3-27-01; Ord. No. 468, § 5, 6-12-01; Ord. No. 2007-06, § 2, 4-10-07; Ord. No. 2007-14, § 2(Exh. A), 9-25-07; Ord. No. 2009-10, § 8, 7-28-09)

**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 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: 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. 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) Public service signs: Only if approved by the Town Commission.
  - (4) Subdivision and residential development identification signs: Only if approved by the Town Commission.
  - (5) Temporary political signs: To be set back at least five feet from any right-of-way or property line.
  - (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 contractor signs: one sign per plot to be set back at least five feet from any right-of-way or property line.
    - b. Temporary garage sale or moving sale signs: one sign per plot, no larger than four square feet in size and displayed on the premises for no more than two days and no more than twice per year 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 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 by sign type and the general design standards sections of these regulations, and subject to the additional limitations stated below:
- (1) No more than four bona fide flags at a hotel or motel, not exceeding 15 square feet in size each.
  - (2) Private informational, directional and traffic control signs.
  - (3) Name and address signs: 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. 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. 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. 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.
  - (4) Public service signs: Only if approved by the Town Commission.
  - (5) Subdivision and residential development identification signs: Only if approved by the Town Commission.
  - (6) Vacancy/no vacancy signs: one sign per licensed motel or hotel, not exceeding two square feet of sign area.
  - (7) Temporary political signs: to be set back at least five feet from any right-of-way or property line.
  - (8) In addition, each hotel, motel, apartment building, condominium, group home, church, school or other non-residential use 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. 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 35 feet.
- (9) 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. Temporary garage sale or moving sale signs: one sign per plot, no larger than four square feet in size and displayed on the premises for no more than two days and no more than twice per year to be set back at least five feet from any right-of-way or property line.
  - d. Temporary portable advertising signs for businesses adjoining a roadway under construction: one sign per frontage of a street under construction, not exceeding 16 square feet in sign size, 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) *B1, B1A and B2 districts.* Only the following types of signs are permitted within the B1, B1A and B2 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) One dive flag at a bona fide dive shop and three bona fide flags at a travel agency or foreign cuisine restaurant, not exceeding 15 square feet in size each.
  - (2) 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.
  - (3) Private informational, directional and traffic control signs.
  - (4) Menu board sign: one sign per licensed restaurant per street frontage.
  - (5) Name and address signs: 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; 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; 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. 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.
  - (6) Public service signs: Only if approved by the Town Commission.
  - (7) 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.
  - (8) Temporary political signs.
  - (9) In addition, each office building, separate storefront business, restaurant, church, assembly hall, school or other 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 face shall be measured from elevation of the nearest sidewalk or crown of the road to the midpoint of a sloped roof. (Multiple businesses occupying a single storefront bay must share the permitted total number and sign area of signs. 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, retail or governmental building only.
  - c. Hanging: 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: No pole or pylon sign may be erected after the effective date of this article.
  - g. Roof signs: Only when wall or awning signs are not feasible, and not if a pole or pylon sign is placed on the same property.
  - h. Wall signs: With a sign height no greater than 35 feet. 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.
- (12) 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;
  - b. Temporary contractor signs: one sign per plot;
  - c. Temporary portable advertising signs for businesses adjoining a roadway under construction: one sign per frontage of a street under construction, not exceeding 16 square feet in sign size, 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 and pennant sign;
  - g. Temporary off-premises signs;
- (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, directional and traffic control signs.
  - (2) Name and address signs: 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. 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. 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. 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) Public service signs: Only if approved by the Town Commission.
  - (4) Window signs: one window sign per street frontage, placed in first floor windows only.
  - (5) 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 and pennant signs.
- f. Temporary off-premises signs.

*(Ord. No. 465, § 2, 3-27-01; Ord. No. 2007-09, § 2, 5-22-07; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)*

**Sec. 30-509. - 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.

*(Ord. No. 465, § 2, 3-27-01; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)*

**Secs. 30-510—30-530. - Reserved.**