

PROPOSED

ORDINANCE NO. 2018-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE BROWARD COUNTY ZONING CODE; REPEALING AND REPLACING ARTICLE VI OF CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") AND AMENDING VARIOUS SECTIONS OF CHAPTER 39 OF THE CODE REGARDING PROCEDURES FOR REGULATION OF SIGNAGE; AMENDING SECTION 8½-16 OF THE CODE REGARDING THE SCHEDULE OF CIVIL PENALTIES FOR SIGNAGE-RELATED VIOLATIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, the Supreme Court of the United States issued an opinion in *Reed v. Town of Gilbert, Arizona* ("Reed"), regarding the regulation of signage based on the contents of a sign; and

WHEREAS, the Board of County Commissioners ("Board") desires to amend Chapter 39 of the Broward County Code of Ordinances to be consistent with *Reed* by regulating signs by their size, location, construction, and manner of display; and

WHEREAS, the Board finds that regulating signs by their size, location, construction, and manner of display enhances vehicular and pedestrian traffic safety and improves the aesthetic quality and appearance of Broward County,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

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1 Section 1. Chapter 39 of the Broward County Code of Ordinances, "Zoning," is
2 hereby amended to replace each instance of "Permitting, Licensing and Consumer
3 Protection Division," "Planning and Environmental Regulation Division," and "Planning
4 and Redevelopment Division" with "Planning and Development Management Division."

5 Section 2. Article VI of Chapter 39 of the Broward County Code of Ordinances
6 is hereby repealed in its entirety and replaced as follows:

7 [UNDERLINING OMITTED]

8 **ARTICLE VI. SIGNS**

9 **Sec. 39-50. Purpose, intent, and scope.**

10 (a) *Purpose.* As part of the County's effort to promote safety and to enhance
11 the aesthetic quality and appearance of the County, the purpose of this article is to permit
12 signs that will not, by their size, location, construction, or manner of display, endanger the
13 public safety by distracting, confusing, misleading, or obstructing the vision necessary for
14 pedestrian or vehicular traffic safety, or detract from the community. The purpose of this
15 article is also to provide the framework for a comprehensive but balanced system of sign
16 control for the unincorporated area of Broward County, thereby facilitating clear and
17 visually pleasant communications that allow businesses, institutions, individuals, and any
18 other persons or entities to exercise their right to free speech and to allow audiences to
19 receive such information. This article does not in any manner regulate the written or
20 depicted copy on any individual sign, but only the height, area, location, and other similar
21 aspects of signs and sign structures.

22 (b) *Scope.* The requirements of this article apply to all signs, sign structures,
23 awnings with signs, and other types of sign devices located within the unincorporated
24 area of Broward County, Florida, except as specified herein.

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1 **Sec. 39-51. Definitions.**

2 As used in this article, the following words and terms shall have the following
3 meanings, unless some other meaning is plainly intended:

4 *Abandoned sign:* A sign no longer used by the person or entity that originally
5 installed or placed the sign, where the right to use and the responsibility to maintain the
6 sign have not been transferred or given to another person or entity.

7 *Alteration:* A change to the size, shape, structure, or location of an existing sign.
8 A change to the copy, color, sign face, or front panel of an existing sign is not an alteration
9 so long as the size, shape, structure, and location of the existing sign remains the same.

10 *Animated sign:* A sign employing actual motion, the illusion of motion, or light or
11 color changes achieved through mechanical, electrical, or electronic means. Animated
12 signs, which are differentiated from changeable signs and electronic message signs as
13 defined and regulated by this Code, include the following types:

- 14 (1) Environmentally activated: Animated signs or devices motivated by wind,
15 thermal changes, or other natural environmental input. These include
16 spinners, pinwheels, pennant strings, and other devices or displays that
17 respond to naturally occurring external motivation.
- 18 (2) Mechanically activated: Animated signs characterized by repetitive motion
19 or rotation activated by a mechanical system powered by electric motors or
20 other mechanically-induced means.
- 21 (3) Electrically activated: Animated signs producing the illusion of movement
22 by means of electronic, electrical, or electromechanical input or illumination,
23 capable of simulating movement through employment of the characteristics
24 of one (1) or both of the classifications noted below:

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- 1 a. Flashing: Animated signs or animated portions of signs where
2 illumination is characterized by a repetitive cycle in which the period
3 of illumination is either the same as or less than the period of
4 nonillumination. For the purposes of this article, flashing will not be
5 defined as occurring if the cyclical period between on-off phases of
6 illumination exceeds four (4) seconds.
- 7 b. Patterned illusionary movement: Animated signs or animated
8 portions of signs where illumination is characterized by simulated
9 movement through alternate or sequential activation of various
10 illuminated elements for the purpose of producing repetitive light
11 patterns designed to appear in some form of constant motion.

12 *Architectural projection:* Any projection from a building that is decorative or
13 functional, is not intended for occupancy, and extends beyond the face of an exterior wall
14 of a building, but that does not include signs as defined herein.

15 *Awning:* A shelter projecting from and supported by the exterior wall of a building
16 and composed of a covering of rigid or nonrigid materials or fabric on a supporting
17 framework that may be either permanent or retractable.

18 *Awning sign:* A sign displayed on or attached flat against the surface or surfaces
19 of an awning.

20 *Banner or pennant sign:* A sign, with or without a frame, made of cloth, fabric,
21 paper, vinyl, plastic, or other nonrigid material. Banner and pennant signs do not include
22 flags.

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1 *Bench sign:* A sign applied or affixed to the seat or back of a bench, a trash
2 receptacle, or to a shelter for persons awaiting public transportation.

3 *Building façade:* That portion of any exterior elevation of a building extending
4 vertically from the grade to the top of a parapet wall or eaves and horizontally across the
5 entire width of the building elevation.

6 *Building frontage:* The length of the building that directly faces a right-of-way, as
7 measured by the distance between the outermost points of the building parallel to the
8 right-of-way.

9 *Building sign:* A sign that is applied or affixed to a building. Wall signs, canopy
10 signs, awning signs, marquee signs, projecting signs, and other types of
11 nonfreestanding signs are considered building signs.

12 *Canopy:* A multisided overhead structure or architectural projection supported by
13 columns or an attachment to a building on one (1) or more sides and either cantilevered
14 from such building or also supported by columns at additional points.

15 *Changeable copy sign:* A sign upon which the copy can be changed either
16 manually, electronically, or by any other method through the use of attachable letters,
17 numbers, symbols, or changeable pictorial panels, and other similar characters, or
18 through internal rotating or moveable parts which can change the visual message without
19 altering the sign face.

20 *Copy:* The graphic content or message of a sign.

21 *Display time:* The amount of time a message or graphic is displayed on an
22 electronic message sign.

23 *Disrepair:* A state of neglect or dilapidation to the extent that: (1) the message of
24 the sign has become substantially obliterated, unreadable, or indiscernible; or (2)

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1 structural components of the sign are in a visibly bent, broken, leaning, or otherwise
2 dilapidated condition.

3 *Double-sided sign:* A sign with two (2) sign faces that are parallel to each other
4 and back to back.

5 *Dynamic frame effect:* An electronic message sign frame effect in which the
6 illusion of motion or animation is used.

7 *Electronic message sign ("EMS"):* An electrically activated changeable sign that
8 has variable message or graphic presentation capability that can be electronically
9 programmed by computer from a remote location. EMSs typically use light emitting
10 diodes ("LEDs") as a lighting source. (See also the following terms principally associated
11 with EMS signs: display time, dynamic frame effect, fade, frame, scroll, transition, and
12 travel.)

13 *Façade:* See building façade.

14 *Fade:* A mode of message transition on an EMS accomplished by varying the light
15 intensity, where the first message gradually reduces intensity to the point of not being
16 legible, and the subsequent message gradually increases intensity to the point of
17 legibility.

18 *Flag:* A piece of fabric, often attached to a staff.

19 *Frame:* A complete, static display screen on an EMS.

20 *Freestanding sign:* A sign that is self-supported and not attached or affixed in any
21 way to a building or other structure. Freestanding signs may also be referenced as
22 ground or monument signs. The definition of freestanding signs includes both permanent
23 and temporary signs.

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1 *Illuminated sign:* A sign characterized by the use of artificial light, either projecting
2 through its surface(s) (internally or transilluminated) or reflecting off its surface(s)
3 (externally illuminated).

4 *Interior sign:* Any sign placed within a building, but not including window signs as
5 defined herein, and that is not designed to be visible from the exterior of the building.

6 *Marquee:* See canopy.

7 *Monument:* A freestanding, self-supporting structure, other than a pole, that is
8 placed directly on the ground, the primary purpose of which is to display a sign.

9 *Monument sign:* A sign attached to, painted on, or otherwise made part of a
10 monument.

11 *Nonconforming sign:* A sign or advertising structure that was lawfully erected and
12 maintained prior to April 16, 2018, which, by its height, type, square foot area, location,
13 width, depth, or structural support, does not conform to the requirements of this article.

14 *Obscene material:* The status of material that: (1) the average person, applying
15 contemporary community standards, would find, taken as a whole, appeals to the prurient
16 interest; (2) depicts or describes, in a patently offensive way, sexual conduct as defined
17 in the Florida Statutes; or (3) taken as a whole, lacks serious literary, artistic, political, or
18 scientific value.

19 *Parapet:* A low wall or barrier at the edge of a roof.

20 *Parapet sign:* A sign placed upon a parapet.

21 *Parcel:* Any quantity of land capable of being described with such precision that
22 its location and boundaries may be established, and which is designated by its owner or
23 developer as land to be used or developed as a single unit or which has been used or
24 developed as a single unit.

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1 *Pennant sign:* See banner or pennant sign.

2 *Permanent sign:* Any permanent freestanding or building signage that, due to its
3 nature or design, requires a building permit in order to ensure conformity with applicable
4 building codes. Examples include, but are not limited to, signs that require the laying of
5 a foundation, are electrified, or that must meet applicable wind-load requirements.

6 *Permanent sign permit:* A permit issued pursuant to Section 39-15 to erect,
7 construct, install, or physically alter a permanent sign.

8 *Plate sign:* A sign under one and a half (1½) square feet in area and permanently
9 attached to a building structure. These signs are permanent in nature but, due to their
10 small size, do not require an individual sign permit.

11 *Pole:* A long, slender, usually cylindrical object permanently placed in the ground.

12 *Pole sign:* A freestanding sign erected upon a visible pole or poles and wholly
13 independent of any building or other structure for support.

14 *Projecting sign:* A sign that extends or projects more than twelve (12) inches from
15 the building face or wall.

16 *Property frontage:* The total distance along any parcel line abutting a street or
17 streets.

18 *Public service sign:* A sign erected by a governmental authority, within or
19 immediately adjacent to a right-of-way, indicating the location of public or governmentally
20 owned facilities, such as airports, public transportation, hospitals, schools, or parks, or
21 indicating street names or other messages of public concern.

22 *Right-of-way:* Any legal public vehicular throughway, such as a street, internal
23 road, or vehicular access point.

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1 *Roof sign:* A sign mounted on the main roof portion of a building and that is wholly
2 or partially supported by such building.

3 *Scroll:* A mode of message transition on an EMS in which the message appears
4 to move vertically across the display surface.

5 *Sight triangle:* A triangular shaped area located at the intersection of any
6 combination of rights-of-way, alleys, or driveways that affects motorist visibility.

7 *Sign:* Every device, frame, letter, figure, graphic, mark, design, picture, logo,
8 symbol, trademark, reading matter, or other representation for visual communication that
9 is used for the purpose of bringing the subject thereof to the attention of others.

10 *Sign area:* The area of the smallest geometric figure, or the sum of the combination
11 of regular geometric figures, that comprises the sign face.

12 *Sign copy:* See copy.

13 *Sign face:* The surface upon, against, or through which the sign copy is displayed
14 or illustrated, not including structural supports, architectural features of a building or sign
15 structure, nonstructural thematic or decorative trim, or any areas that are separated from
16 the background surface upon which the sign copy is displayed by a distinct delineation,
17 such as a reveal or border.

18 *Sign width:* The horizontal distance, in linear feet, measured along the longer edge
19 of a sign cabinet, box, frame, or other surface containing a sign face.

20 *Temporary sign:* A portable structure that is not permanently attached to the
21 ground, a building, or other structure. Such signs are temporary in nature and may be
22 removed easily in the event of an approaching tropical storm or hurricane. Generally,
23 these signs include the following and similar types of signs: banners, pennants,
24 streamers, wind-powered signs, wind socks, and triangle sidewalk signs. The term

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1 temporary sign, as used herein, refers to the actual structure of the sign rather than the
2 message of a sign. Yard signs, as defined herein, are not included within this definition.

3 *Temporary sign permit:* A permit issued by the Environmental Protection and
4 Growth Management Department for the placement of a temporary sign.

5 *Traffic control sign:* Any sign used to control vehicle and pedestrian traffic on public
6 streets or private property, such as speed limit signs, stop signs, caution signs, directional
7 signs, wayfinding signs placed on a premises where the wayfinding sign does not exceed
8 four (4) feet in height or four (4) feet in sign area, do not enter signs, tow-away zone signs,
9 and parking-related signs. These signs must be installed consistent and in compliance
10 with the then-current edition of the Florida Department of Transportation Traffic
11 Engineering Manual.

12 *Transition:* A visual effect used on an EMS to change from one (1) message to
13 another.

14 *Travel:* A mode of message transition on an EMS in which the message appears
15 to move horizontally across the display surface.

16 *Unit:* Any subdivided or otherwise legally created and definable tract of land.
17 When there are multiple storefronts or residential living places within a parcel, the
18 individual storefronts or residential living places shall be referred to as a unit.

19 *Vehicle sign:* Any sign that is attached, painted, or placed onto or inside a parked
20 vehicle.

21 *Wall sign:* A sign on a wall that extends twelve (12) inches or less from the wall.

22 *Wedged signs:* A sign structure composed of two (2) signs with the faces oriented
23 in opposite directions and in the general shape of the letter "V," provided, however, that
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1 only one (1) face can be viewed from any one (1) direction, and with a minimum angle of
2 15 degrees (15°) and maximum angle of ninety degrees (90°) between the sign faces.

3 *Window sign:* Any sign attached to or visible through any building or enclosed
4 structure's window. This term shall not include merchandise located in a window or
5 interior signs.

6 *Yard sign:* A temporary freestanding sign that is six (6) square feet in area or less,
7 six (6) feet in height or less, and that does not have electrical or illumination components.

8 **Sec. 39-52. Hierarchy of Regulations.**

9 (a) Where there is a conflict between specific sign regulations and the base or
10 general sign regulations of this article, the specific sign regulations supersede the base
11 or general sign regulations.

12 (b) Other conflicts. Where there is a conflict between a land use regulation and
13 a structural regulation, or other conflicts not otherwise addressed by this article, the most
14 restrictive regulation applies.

15 **Sec. 39-53. Severability.**

16 If any part, section, subsection, paragraph, subparagraph, sentence, phrase,
17 clause, term, or word of this article is declared or held to be invalid or unconstitutional by
18 any court of competent jurisdiction, such declaration or holding shall not affect any other
19 part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or
20 word of this article, even if such severability would result in less speech whether by
21 subjecting previously exempt signs to this article's permitting requirements or otherwise.

22 **Sec. 39-54. Substitution of noncommercial speech for commercial speech.**

23 Notwithstanding anything contained in this Code to the contrary, any sign erected
24 with a commercial message pursuant to the provisions of this article or the Code, may, at

1 the option of the owner, contain a noncommercial message. The noncommercial
2 message may occupy the entire sign face or any portion thereof. The sign face may be
3 changed from a commercial message to a noncommercial message, or from one (1)
4 noncommercial message to another, provided that (i) the sign is not a prohibited sign or
5 sign type; (ii) the manner or frequency of the change does not violate restrictions on
6 electronic or illuminated signs; and (iii) the size, height, setback, and other dimensional
7 criteria contained in this article and the Code are met.

8 **Sec. 39-55. Authority; administration.**

9 This article shall be administered and enforced by the Planning and Development
10 Management Division ("Division"), or such other agency designated by the County
11 Administrator. The Division may implement procedures, forms, and written policies for
12 administering the provisions of this article.

13 **Sec. 39-56. Sign permits.**

14 (a) *Permit required for permanent sign.* No permanent sign shall be erected,
15 constructed, installed, or altered on any unit or parcel of land until a Certificate of Use, as
16 required by Section 39-19, has been issued and until a permit, as required by
17 Section 39-15, has been obtained. In addition to the requirements of Section 39-17,
18 permanent sign permit applications shall include the following:

- 19 (1) The name, address, and telephone number, if available, of the owner of the
20 proposed sign;
- 21 (2) An indication of the specific type of sign and sign structure;
- 22 (3) The address, legal description, and tax folio number of the parcel where the
23 sign will be located;

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1 (4) A plan or design of the sign showing the dimensions, square foot area,
2 lighting, and the sign structure. If submitted on paper, submissions shall be
3 drawn to a scale of not less than three-eighths (3/8) inch equals one (1)
4 foot;

5 (5) For freestanding signs, the overall height of the sign, which overall height
6 includes the sign post, as applicable; and

7 (6) For wall or building signs, the building frontage and height of the building
8 wall, parapet, or façade of the building or structure.

9 (b) *Permit for permanent sign issuance.* After the Division receives a complete
10 permit application, the Division shall make a determination as to whether the proposed
11 sign is in accordance with the provisions of this article within fifteen (15) business days.
12 If the Division fails to make a determination within said timeframe, the permit application
13 shall be deemed denied. A permit shall be issued within five (5) business days if the
14 Division determines that a proposed sign is in accordance with this article. Fees for
15 permanent sign permits shall be in accordance with the schedule adopted by the County
16 Commission by resolution. Normal maintenance of existing permanent signs, such as
17 painting consistent with the approved plans, or repairs to existing signs, which do not alter
18 the size, height, or mounting of the sign, shall not require a permit or inspection. Removal
19 and reinstallation of a sign face shall not be considered normal maintenance, and a sign
20 permit shall be required. A duly certified contractor, pursuant to Chapter 489, Florida
21 Statutes, or Chapter 9 of the Broward County Code of Ordinances, shall be required for
22 erection, construction, installation, or alteration of all permanent signs.

23 (c) Permits are not required for plate signs, window signs, yard signs, or flags,
24 as defined in Section 39-51. However, plate signs, window signs, yard signs, and flags

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1 must be secure to ensure that such signs do not create a risk of becoming projectiles or
2 of falling. The size, location, and number of plate signs, window signs, yard signs, and
3 flags placed on properties must comply with this article.

4 (d) *Permit required for temporary signs.* The following types of temporary signs
5 may be erected with a temporary sign permit if the type of temporary sign is permitted in
6 the zoning district: banners, pennants, balloon signs, and triangle sidewalk signs.
7 Permits issued for temporary signs on the same parcel may be issued up to four (4) times
8 per year and for up to thirty (30) days per permit. Each applicant may only obtain one (1)
9 temporary sign permit at a time and a temporary sign permit may not be issued within
10 forty-five (45) days after expiration of a prior temporary sign permit. The temporary sign
11 permit must be maintained at all times on the premises where the temporary sign is
12 located and must be displayed to code enforcement personnel upon request. Temporary
13 sign permit applications shall include the following:

- 14 (1) The name, address, and telephone number, if available, of the owner of the
15 proposed temporary sign;
- 16 (2) An indication of the specific type of sign and how the temporary sign will be
17 erected or suspended, as applicable;
- 18 (3) The address, legal description, and tax folio number of the parcel where the
19 sign will be located; and
- 20 (4) The number of temporary sign permits obtained for the parcel within the
21 past three hundred sixty-five (365) days.

22 (e) *Permit for temporary sign issuance.* After the Division receives a complete
23 permit application, the Division shall make a determination as to whether the proposed
24 sign is in accordance with the provisions of this article within fifteen (15) business days.

1 If the Division fails to make a determination within said timeframe, the permit application
2 shall be deemed denied. A permit shall be issued within five (5) business days if the
3 Division determines that a proposed sign is in accordance with this article. Fees for
4 temporary sign permits shall be in accordance with the schedule adopted by the County
5 Commission by resolution.

6 (f) *Violation of Permit.* The zoning official, or designee, may revoke a sign
7 permit for any permanent sign that is not erected, constructed, installed, or altered in
8 conformance with a sign permit and the terms of this article, and where the owner of such
9 sign fails to bring the sign into conformity within thirty (30) calendar days after receiving
10 notice of the violation. All written notifications of the intent to revoke a sign permit shall
11 be in accordance with the provisions of Section 162.12, Florida Statutes, shall state the
12 violation, and shall include the following language:

13 THE HOLDER OF THIS SIGN PERMIT SHALL HAVE THIRTY (30) DAYS FOLLOWING
14 THE DATE OF THIS NOTIFICATION TO REMOVE SUCH SIGN, MAKE THE SIGN
15 CONFORM TO THE REQUIREMENTS OF CHAPTER 39 OF THE BROWARD COUNTY
16 CODE OF ORDINANCES, OR REQUEST A HEARING, IN WRITING, BEFORE A
17 BROWARD COUNTY HEARING OFFICER.

18 IF THE SIGN IS NOT REMOVED OR MADE TO CONFORM TO THE ORDINANCE
19 REQUIREMENTS AND NO WRITTEN REQUEST FOR A HEARING IS RECEIVED BY
20 THE ZONING OFFICIAL WITHIN THIRTY (30) DAYS AFTER THE DATE OF THIS
21 NOTIFICATION, THE PERMIT TO ERECT, CONSTRUCT, INSTALL, OR ALTER A SIGN
22 SHALL BE CONSIDERED REVOKED.

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1 **Sec. 39-57. General provisions.**

2 The following regulations apply to all signs authorized under this article:

3 (a) *Building Code.* The Florida Building Code shall control the construction,
4 inspection, maintenance, and demolition of permanent signs, structures, or flag holders.

5 (b) *Private signs are not permitted on public property.* No private sign shall be
6 erected, altered, or maintained over or upon any publicly owned property or right-of-way.
7 Signs placed in violation of this provision are a violation of this article and shall be subject
8 to immediate removal by Broward County without notice. The placement of an unlawful
9 sign on public property is transient in nature and is, therefore, irreparable.

10 (c) *Sign placement.* All signs and sign structures must be erected and attached
11 completely on or within the site or property of the owner(s) or occupant(s) installing the
12 permanent or temporary sign. Signs and sign structures shall not extend into any
13 applicable legal right-of-way. No sign shall be erected, altered, or maintained in such
14 location or position as to present any unfinished side toward adjacent property. Trees,
15 rocks, or other naturally occurring landscape features may not be used to support signs.
16 Unless specifically provided elsewhere in this article, a building that abuts the edge of the
17 building site or parcel may only utilize wall, building, or window signs.

18 (d) *Freestanding sign setbacks.* Unless otherwise provided in this article,
19 permanent and temporary freestanding signs must be at least five (5) feet from any
20 dedicated right-of-way or recorded road easement and must be at least three (3) feet from
21 any other privately owned property. A freestanding sign within a nonresidentially zoned
22 district must be at least twenty-five (25) feet from any residentially zoned property.
23 Setbacks shall be measured from the edge of the outermost portion of the sign that is
24 closest to the parcel line.

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1 (e) *Legibility of signs.* To reduce the dangers of distracting motorists, signs
2 should be adequately legible under the circumstances in which they are primarily seen.

3 The legibility of signs is related to:

- 4 (1) The speed at which they are viewed;
5 (2) The context and surroundings in which they are seen; and
6 (3) The design, colors, and contrast of the sign copy and sign face.

7 (f) *Sign height calculation.*

8 (1) The overall height of a freestanding sign or sign structure is measured from
9 the lowest point of the ground directly below the sign to the highest point of
10 the freestanding sign or sign structure.

11 (2) Exception: Where a freestanding sign or sign structure is mounted within
12 fifty (50) feet of a roadway that has a higher grade level, as compared to the
13 grade level directly below the freestanding sign or sign structure, then the
14 freestanding sign or sign structure's height will be measured from the
15 roadway grade level to the highest point of the freestanding sign or sign
16 structure.

17 (g) *Sign area calculation.*

18 (1) Unless otherwise provided herein, the sign area shall be calculated as the
19 area within the smallest regular geometric shape or combination of shapes
20 that encompass all the display elements (letters, numbers, figures,
21 characters, logos, etc.) of the sign, including blank areas between display
22 elements.

23 (2) Sign cabinets. The area of sign faces enclosed in frames or cabinets is
24 determined based on the outer dimensions of the frame or cabinet.

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1 (3) Double-sided signs. Only one (1) side of a double-sided sign is counted in
2 determining the area of sign faces. Where the two (2) sides are not of equal
3 size, the larger of the two (2) sides is used for the determination of sign
4 area. Wedged signs shall be expressed as the sum of the areas of all the
5 faces.

6 (4) Awnings and marquees. When graphics are incorporated into an awning,
7 the sign area is determined by computing the area of a standard imaginary
8 geometric shape around the sign copy area or graphics.

9 (h) *Removal prior to tropical storm or hurricane.* To avoid such signs from
10 becoming projectiles, all permitted temporary signs and signs of a temporary nature that
11 do not require a permit pursuant to this article must be removed by the individual that
12 placed the sign, or the individual's designee, in the event that a tropical storm or hurricane
13 warning has been issued for Broward County.

14 (i) *Failure to comply.* Failure to comply with the requirements of this article
15 shall be deemed a County ordinance violation and the issuance of a citation or notice to
16 appear by a code enforcement officer shall occur, in accordance with the provisions of
17 Chapter 8½ of the Broward County Code of Ordinances. The process set forth in
18 Chapter 8½ of the Broward County Code of Ordinances is supplemental to any other
19 method of enforcement of the Code of Ordinances authorized by law.

20 **Sec. 39-58. Exempt signs.**

21 The following signs are exempt from regulation under this article:

22 (a) Interior signs.

23 (b) Any sign that (1) is not visible from a public street, sidewalk, right-of-way,
24 navigable waterway or body of water, or from above the property; (2) has a sign area of

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1 less than six (6) square feet; (3) is less than six (6) feet in height; and (4) is not electrical
2 or illuminated. These signs must, however, comply with the Florida Building Code.

3 (c) Vehicle signs located on a truck, bus, trailer, taxi, or other vehicle that is
4 being operated or parked while in the course of business, provided that:

5 (1) The primary use of the vehicle is not for the purpose of advertisement;

6 (2) The vehicle has a current license plate, is in operable condition, and shall
7 only be parked in designated parking areas, as defined by this Code;

8 (3) The vehicle's signs are painted on the vehicle or are attached by magnet,
9 graphic wrap, window tinting, or by some other means incorporated into the
10 vehicle in a safe manner;

11 (4) The public's safety and the driver's safety are not endangered by hanging
12 banners, the placement of placards or signs inside the windows of the
13 vehicle, the painting of the windows, or otherwise attaching signs to the
14 vehicle; and

15 (5) In no case shall such vehicles be parked in rights-of-way or on
16 publicly owned land unless in the course of business and only for the
17 duration of the actual business transaction that necessitated the temporary
18 placement of the vehicle at that location.

19 (d) Signs required by law or necessary for the public safety, such as, but not
20 limited to, legal notices, traffic control signs, public service signs, warning signs, and
21 address signs.

22 (e) *Agricultural properties.* Farm signs located on lands used for bona fide
23 agricultural purposes pursuant to Section 604.50, Florida Statutes.
24

1 (f) *Airport operations areas and terminal complex.* Signs located within an
2 airport operations area or terminal complex, as defined in Section 2-2 of the Broward
3 County Code of Ordinances.

4 **Sec. 39-59. Prohibited signs.**

5 It shall be unlawful for any person to construct, maintain, or permit the following
6 signs:

- 7 (a) Any sign prohibited by state or federal law;
- 8 (b) Any sign creating a traffic hazard by obstructing vision in any sight triangle;
- 9 (c) Any sign preventing free ingress or egress from any door, window, fire
10 escape, or other entrance or exit to any building, or any sign attached to a standpipe or
11 fire escape;
- 12 (d) Any sign that is obscene, incites or produces or is likely to incite or produce
13 lawless action, or contains fighting words;
- 14 (e) Any sign that constitutes a public nuisance, including, but not limited to,
15 signs that produce a hazardous amount of glare, advertise an illegal activity, or convey a
16 false or misleading commercial advertisement;
- 17 (f) Any sign that emits a sound, smell, or smoke;
- 18 (g) Any sign that has been abandoned or is in disrepair;
- 19 (h) Bench signs on privately owned property;
- 20 (i) Roof signs;
- 21 (j) Animated signs;
- 22 (k) Pole signs that exceed four (4) feet in height or four (4) feet in sign area;
- 23 and
- 24 (l) Vehicle signs, except for those that are exempt under Section 39-58(c).

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1 **Sec. 39-60. Signage in residentially and agriculturally zoned districts.**

2 (a) The following zoning districts are regulated by this section: agricultural,
3 rural and estate, residential, mobile home, RSO, and RMO.

4 (b) *Residential properties.* Single family residential properties, including single
5 family detached homes, semidetached homes, duplexes, triplexes, quadraplexes, and
6 town homes, that are located in residentially zoned districts ("Residential Properties"), are
7 permitted up to two (2) yard signs per unit. Corner lots and lots with property frontage on
8 more than one (1) street are entitled to one (1) additional yard sign per property frontage
9 area. Additionally, owners or occupants of Residential Properties may apply for a
10 temporary sign permit for a temporary sign of up to eight (8) square feet in sign area and
11 with a maximum height of six (6) feet, if freestanding. Residential Properties may also
12 have up to two (2) flags placed on a parcel. If there are multiple units located within a
13 parcel, only one (1) flag per unit may be placed on each unit's property. Flags must not
14 exceed fifteen (15) square feet in area per flag, and the top of each flag may not be
15 elevated over ten (10) feet. Occupants of Residential Properties may place
16 one (1) window sign per window, not to exceed twenty percent (20%) of the window area.

17 (c) *Subdivisions, apartments, multifamily dwellings, condominium complexes,*
18 *mobile home parks, motels, or other similar areas occupied by multiple parties*
19 *(collectively referred to as "Multifamily Complex").*

20 (1) The owner(s) of a Multifamily Complex may install one (1) permanent
21 freestanding sign at up to two (2) primary entrances per Multifamily
22 Complex, which may be up to thirty-two (32) square feet in sign area per
23 sign and not exceeding ten (10) feet in height. If the Multifamily Complex is
24 entitled to more than one (1) permanent freestanding sign per this section,

1 the signs under this section must be at least fifty (50) feet apart.
2 Alternatively, any of these signs may be building signs, not exceeding
3 twenty percent (20%) of the building's frontage and no more than
4 eighty percent (80%) of the building's horizontal length.

5 (2) Occupants of a Multifamily Complex may place one (1) window sign per
6 window, not to exceed twenty percent (20%) of the window area.

7 (3) Where an individually owned or rented unit within a Multifamily Complex
8 has deeded outdoor space, the occupant of such parcel or unit may place
9 up to two (2) yard signs and one (1) flag. Flags must not exceed fifteen (15)
10 square feet in area per flag and the top of the flag may not be elevated over
11 ten (10) feet. Additionally, owners or occupants of a parcel or unit within a
12 Multifamily Complex with deeded outdoor space may apply for one (1)
13 temporary sign permit for a temporary sign of up to eight (8) square feet in
14 sign area and with a maximum height of six (6) feet, if freestanding.

15 (4) If there are single family Residential Properties on separate lots within a
16 Multifamily Complex, the single family properties are subject to (b) above
17 but the Multifamily Complex owner or management company may apply for
18 permits and place signs in accordance with (c)(1) above.

19 (d) *Other nonresidential properties within a residentially zoned district.* All other
20 nonresidential properties ("Nonresidential Properties") within a residentially zoned district
21 are permitted:

22 (1) One (1) permanent freestanding sign, up to sixteen (16) square feet in sign
23 area per sign and not exceeding eight (8) feet in height, per separate
24 property frontage, separate building frontage, or for each entrance to the

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1 Nonresidential Property; whichever results in the greatest number of signs.
2 If the Nonresidential Property is entitled to more than one (1) permanent
3 freestanding sign per this provision, the signs must be at least fifty (50) feet
4 apart. Additionally, Nonresidential Properties may have building signs, not
5 exceeding twenty percent (20%) of the building's frontage and no more than
6 eighty percent (80%) of the building's horizontal length. Owners or
7 occupants of Nonresidential Properties may apply for one (1) temporary
8 sign permit for a temporary sign of up to eight (8) square feet in sign area
9 and with a maximum height of six (6) feet, if freestanding. One (1) window
10 sign per window may be placed on the Nonresidential Property, not to
11 exceed twenty percent (20%) of the window area.

- 12 (2) Nonresidential Properties may also have up to two (2) flags placed on the
13 parcel. Flags must not exceed fifteen (15) square feet in area per flag, and
14 the top of each flag may not be elevated over ten (10) feet.

15 **Sec. 39-61. Signage in commercial, industrial, and all other zoned districts.**

16 (a) *General Provisions.* Commercial, industrial, and all other zoning districts
17 not addressed in Section 39-60 shall be regulated by this section.

- 18 (1) In the event that one (1) or more contiguous units are engaged in a single
19 enterprise, the individual units will be treated as a single unified unit under
20 the terms of this section. For the purposes of this section, separate
21 enterprises are those that maintain (i) separate financial records, capital, or
22 property, and (ii) key personnel.
23
24

1 (2) In multitenant commercial or industrial properties, the entire multitenant
2 parcel shall share the freestanding permanent signage and additional
3 permanent signage provided for in (b) and (c) below.

4 (b) *Freestanding permanent signs.* Each building unit is permitted one (1)
5 freestanding permanent sign per property frontage not to exceed the height and area
6 allotment provided for in the table below. If a building on a parcel has property frontage
7 that exceeds three hundred (300) linear feet on any given roadway, one (1) additional
8 permanent freestanding sign on such property frontage shall be permitted for each
9 multiple of three hundred (300) linear feet of property frontage thereafter. Where the size
10 and shape of the unit would permit additional freestanding permanent signs per this
11 section, such signs may not be located within one hundred (100) feet of another
12 freestanding permanent sign. The following chart shall be used to determine the
13 maximum height and area of a freestanding permanent sign based on the width of the
14 right-of-way that such sign abuts and the aggregate property frontage. Where a
15 permanent freestanding sign will be visible from two (2) streets, is proposed to be erected
16 within one hundred (100) feet of the intersection of the two (2) streets, and where the
17 right-of-way widths differ, the maximum height of the sign shall be determined using the
18 wider of the two (2) rights-of-way.

19 Right-of-Way Width 20 (in feet)	Maximum Height of a Sign (in feet)
21 0 - 50	8
22 51 - 80	10
23 81 - 100	14
24 101 - 120	18

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1	Over 120	25
2	Aggregate Property Frontage	Maximum Area of a Sign*
3	(in feet)	(in Square Feet)
4	100 feet or less	32**
5	101 - 250	48**
6	251 - 500	60
7	501 - 1,000	80
8	Over 1,000 feet	120

9 * The maximum areas specified apply to each sign face of a double-sided sign.

10 ** The maximum height of these signs shall not exceed fourteen (14) feet.

11 (c) *Drive through passage way permanent freestanding signage.* Units
 12 containing a drive through passage way may obtain a permit for additional permanent
 13 freestanding signage not to exceed eight (8) feet in height and twenty-five (25) square
 14 feet in total sign area per passage way. Such signs must be placed within the drive
 15 through passage way.

16 (d) *Wall or Building Signs.* Each unit is permitted two (2) permanent wall or
 17 building signs on the front of the building and one (1) permanent wall or building sign on
 18 the sides of the building, if applicable; provided that the total area of permanent wall or
 19 building signs shall not exceed twenty percent (20%) of the building's frontage and no
 20 more than eighty percent (80%) of the building's horizontal length. Parapet signs are
 21 allowed and are considered part of the building frontage for purposes of this section.

22 (e) *Temporary Signs.* One (1) temporary sign permit may be obtained for a
 23 temporary sign of up to eight (8) square feet in sign area and with a maximum height of
 24 six (6) feet, if freestanding.

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1 (f) *Window Signs.* One (1) window sign may be placed per window, not to
2 exceed twenty percent (20%) of the window area.

3 (g) *Balloon Signs.* A balloon sign placed on a property pursuant to a temporary
4 sign permit shall not exceed fifteen (15) feet in height and shall be a maximum of twenty
5 (20) feet wide. Balloon signs may not be placed upon a building's roof.

6 (h) *Flags.* Up to two (2) flags may be placed on a parcel. If there are multiple
7 units located within a parcel, only one (1) flag per unit may be placed on each unit's
8 property. Flags must not exceed fifteen (15) square feet in area per flag, and the top of
9 each flag may not be elevated over ten (10) feet.

10 **Sec. 39-62. Electronic message signs.**

11 (a) EMSs may be employed where a permanent sign is allowed and in
12 accordance with the applicable sign height and area restrictions. A permanent sign permit
13 must be obtained to install an EMS.

14 (b) An EMS may be a portion of a building sign or freestanding sign or may
15 comprise the entire sign area.

16 (c) An EMS shall have automatic dimming controls, either by photocell
17 (hardwired) or via software settings, to ensure that the EMS lighting level does not create
18 a hazardous glare at night.

19 (d) An EMS shall have a minimum display time of eight (8) seconds.

20 (e) The transition time between messages or message frames is limited to
21 three (3) seconds, and these transitions may employ fade. Continuous scrolling,
22 traveling, flashing, spinning, rotating, and similar moving effects, and all dynamic frame
23 effects or patterns of illusionary movement or simulating movement are prohibited.

1 **Sec. 39-63. Sign illumination standards.**

2 Where illumination of a sign is permitted, signs may be illuminated consistent with
3 the following standards:

4 (a) Sign illumination may only be provided by one (1) of the following methods:

5 (1) *Internal illumination.* The sign face is made of translucent material with an
6 internal light source.

7 (2) *Back lighting.* The copy is raised beyond the sign face and the lighting
8 illuminates the copy from behind in the form of back lighting or reversed
9 channel lighting.

10 (3) *Shielded spotlight.* The sign face is lit by spotlights directed at the sign face.
11 Such spotlights shall be fully shielded so that they are not visible from
12 streets or adjoining property and so that there is no light spillage beyond the
13 sign face.

14 (b) Signs that have external illumination, whether the lighting is mounted above
15 or below the sign face or panel, shall have lighting fixtures or luminaires that are fully
16 shielded.

17 (c) Signs that are illuminated at night shall not create a hazardous glare that
18 obstructs sight or shines directly in windows.

19 **Sec. 39-64. Electrical regulations applying to all permanent signs.**

20 (a) All permanent signs, outline lighting systems, and skeleton neon lighting
21 systems shall be manufactured and installed in compliance with the National Fire
22 Protection Association's ("NFPA's") National Electric Code NFPA 70.

23 (b) The listing label number for all signs shall be provided on the sign permit
24 application or, if the sign has not been manufactured yet, through Nationally Recognized

1 Testing Laboratory ("NRTL") validation. An NRTL file number from the sign manufacturer
2 shall be provided for all electric signs on the sign permit application.

3 (c) Nonconformity with the electrical regulations of this section shall be deemed
4 to be a serious threat to the public health, safety, and welfare. Accordingly, a code
5 enforcement officer is not required to give the sign owner a reasonable time to correct a
6 nonconformity and may immediately request a code enforcement hearing pursuant to
7 Chapter 162, Florida Statutes, to have a sign brought into conformance with this section.
8 or to have said sign removed.

9 **Sec. 39-65. Nonconforming signs.**

10 (a) *Nonconforming permanent signs.* Signs or sign structures that were lawfully
11 permitted but that do not comply with the provisions of this article shall be determined to
12 be nonconforming and may remain, subject to the requirements of this section and
13 Article VII, "Nonconforming Uses and Structures." A written notice shall be served upon
14 any sign owner or property owner where a sign is placed, if such sign does not comply
15 with the provisions of this article. The notice shall advise of the status of the sign and the
16 necessary procedure for obtaining a Certificate of Legal Nonconformity. A Certificate of
17 Legal Nonconformity must be applied for within thirty (30) calendar days after the property
18 owner or sign owner receives notice from the Division of nonconforming sign status.
19 Certificates of Legal Nonconformity shall be renewed annually. A nonconforming sign
20 may be refurbished or repaired, provided that no structural alterations are made. A
21 nonconforming sign may be removed temporarily to perform sign maintenance or sign
22 repair; however, permanent signs and sign structures that are otherwise moved,
23 removed, replaced, or structurally altered must be brought into conformance with the
24 current sign regulations. Nonconforming permanent signs required to be moved because

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1 of public right-of-way improvements may be reestablished. Removable faces or sign
2 panel inserts in a cabinet style sign may also be changed by right, and such change does
3 not constitute a structural alteration nor cause loss of nonconforming status.

4 (b) *Illegally erected signs.* Signs or sign structures that were never lawfully
5 permitted shall not be determined to be legally nonconforming signs and shall be subject
6 to immediate removal without the benefit of an amortization period. Such nonconforming
7 signs and structures shall be removed immediately upon receipt of notice from the
8 Division.

9 (c) *Nonconforming temporary signs.* Nonconforming temporary signs must be
10 removed within two (2) months after the effective date of this ordinance.

11 (d) *Ownership.* Nonconforming sign status is not affected by changes in
12 ownership.

13 (e) *Unintentional destruction.* When a sign or sign structure that has
14 nonconforming elements is partially or totally damaged by fire or other causes beyond the
15 control of the owner, the sign and sign structure may be reconstructed within sixty (60)
16 days after the event that destroyed the sign or sign structure, consistent with the prior
17 nonconforming size, type, and height allowance; however, the construction of the sign
18 shall adhere to all safety and construction standards set forth in this article.

19 **Sec. 39-66. Construction and structural requirements.**

20 (a) *Structural and engineering standards.*

21 (1) Signs, sign structures, sign foundations, welds, and methods to attach and
22 anchor signs must be designed and constructed in accordance with
23 applicable provisions of the Broward County Code of Ordinances and the
24

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1 Florida Building Code. All signs and their foundations and attachments
2 must be designed for the appropriate dead and wind loads.

3 (2) The supports and foundations used in construction of all signs and sign
4 structures must be located outside of any rights-of-way.

5 (3) Temporary signs, plate signs, and yard signs must be securely placed in
6 the ground or attached to a support to ensure that said signs do not create
7 a risk of becoming projectiles or of falling. No balloon sign may shift more
8 than three (3) feet horizontally under any condition.

9 (b) *Clearances.*

10 (1) Vision clearance areas. Vision clearance areas are triangular shaped areas
11 located at the intersection of any combination of rights-of-way, alleys, or
12 driveways. The sides of the triangle extend twenty-five (25) feet from the
13 intersection of the right-of-way or alley in each direction and extend
14 fifteen (15) feet from a driveway and the right-of-way or alley it abuts.
15 Except for traffic control signs and public service signs, no sign may be
16 installed within a clear sight triangle.

17 (2) Vehicle area clearances. In areas outside of rights-of-way, when a sign or
18 awning extends over an area in which vehicles travel or are parked, the
19 bottom of the structure must be at least fourteen (14) feet above the ground.
20 Vehicle areas include driveways, alleys, and parking, loading, and
21 maneuvering areas.

22 (3) Pedestrian area clearances. When a sign or awning extends more than
23 twelve (12) inches over a sidewalk, walkway, or other space used by
24

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1 pedestrians, the bottom of the structure must be at least eight (8) feet above
2 the ground.

3 **Sec. 39-67. Master sign plans.**

4 (a) For all new developments having more than two (2) owners or occupants
5 displaying signs, a master sign plan shall be approved by the Division. Master sign plans
6 submitted to the Division must be executed by all owners and occupants of the parcel.

7 (b) The master sign plan shall meet all of the provisions of this article and shall
8 include the following:

9 (1) An elevation plan drawn to scale and depicting all permanent signs placed
10 or to be placed on the buildings on the parcel;

11 (2) A site plan, drawn to scale, indicating the location of all permanent
12 freestanding signs erected or to be erected on the parcel, including
13 setbacks; depicting the sign type, height, dimensions, and sign area; and
14 the method of supporting the signs;

15 (3) For signs providing for more than one (1) occupant, the amount of sign area
16 allocated for each occupant shall be indicated; and

17 (4) The types of illumination and the luminance level to be used for each type
18 of sign, if applicable.

19 (c) The master sign plan shall be submitted and approved prior to the time of
20 final site plan submittal.

21 (d) Once the master sign plan has been approved for a parcel, the criteria shall
22 apply to the entire parcel shown on the master sign plan, as well as to each individual
23 owner or occupant, and shall remain as long as the building(s) exist, regardless of change
24 of ownership, management, or occupancy. No permanent sign permit shall be issued

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1 contrary to the master sign plan, unless a new master sign plan has been submitted and
2 approved by the Division. When renovations to existing buildings include changes to an
3 existing master sign plan, all signage must meet the requirements of the amended master
4 sign plan within one (1) year after the issuance of the first certificate of occupancy for the
5 renovations.

6 (e) No part of an approved master sign plan may be waived by the hearing
7 officer.

8 Section 3. Section 39-238 of the Broward County Code of Ordinances is hereby
9 amended to read as follows:

10 **Sec. 39-238. Outdoor event permits.**

11 Permits for certain outdoor events may be issued subject to compliance with this
12 section. The following outdoor events may be permitted in the zoning districts designated:

<i>Event</i>	<i>Permitted Zoning Districts</i>
(a) Carnival or circus	Commercial, industrial, and commercial recreation. <u>Residential</u> , rural, agricultural, and institutional if sponsored by non-profit organization
(b) Concerts, festivals	Commercial, industrial, and commercial recreation
(c) Commercial promotions, shows, sales, events	Commercial and industrial

23 ...

24

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1 (7) ~~Signs. One temporary sign advertising the event may be erected on the~~
2 ~~plot where the event will be held not more than fourteen (14) days prior to~~
3 ~~the event. Such signs shall be no larger than twenty four (24) square feet~~
4 ~~in sign area and no higher than ten (10) feet above the ground. The sign~~
5 ~~shall be set back at least ten (10) feet from the front plot line and shall not~~
6 ~~be located within twenty five (25) feet of the intersection of any two (2)~~
7 ~~public or private streets. The sign shall be removed by the permit holder at~~
8 ~~the conclusion of the outdoor event. Installation or erection and~~
9 ~~maintenance of permitted signs shall be subject to compliance with~~
10 ~~Article VI, "Signs," of this Code.~~

11 ...
12 Section 4. Section 39-239 of the Broward County Code of Ordinances is hereby
13 amended to read as follows:

14 **Sec. 39-239. Holiday wayside stands.**

15 ...
16 (5) ~~Signs. One 4 foot by 8 foot sign on each side of the plot abutting a public~~
17 ~~street shall be permitted in connection with an approved holiday wayside stand during the~~
18 ~~sales period. Such signs shall comply with all applicable codes, including permitting~~
19 ~~requirements. Installation or erection and maintenance of permitted signs shall be subject~~
20 ~~to compliance with Article VI, "Signs," of this Code.~~

21 Section 5. Section 39-240 of the Broward County Code of Ordinances is hereby
22 amended to read as follows:
23
24

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1 **Sec. 39-240. Off-site parking lots.**

2 As permitted by Section 39-217, "Location, character, and size," for off-street
3 parking facilities, a plot within five hundred (500) feet of a nonresidentially used plot may
4 be used to supply twenty-five percent (25%) of the required off-street parking for the
5 nonresidentially used plot. Such off-site facilities shall be permitted in all zoning districts
6 except open space and conservation districts, subject to the following conditions:

7 ...

- 8 (6) ~~No signs shall be permitted except entrance or exit signs or signs identifying~~
9 ~~the purpose of the off-site parking lot. Such signs shall be no larger than~~
10 ~~six (6) square feet and not higher than four (4) feet above the ground unless~~
11 ~~affixed flush on the required visual barrier. No exterior illumination of such~~
12 ~~signs shall be permitted. Installation or erection and maintenance of~~
13 ~~permitted signs shall be subject to compliance with Article VI, "Signs," of~~
14 ~~this Code.~~

15 ...

16 Section 6. Section 39-1221 of the Broward County Code of Ordinances is
17 hereby amended to read as follows:

18 **Sec. 39-1221. Limitations on permitted uses.**

19 ...

- 20 (b) ~~Signs for offices shall be limited to a nameplate attached flat to the side of~~
21 ~~the building and having an area of not more than two square feet. Such signs shall not~~
22 ~~be illuminated or lighted. One such sign shall be permitted for each tenant of an office~~
23 ~~building on not more than two faces of the building located at a street intersection. One~~
24 ~~such sign shall be permitted for each tenant of an office building when such building is~~

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1 ~~located on an interior lot. Erection and maintenance of permitted signs shall be subject~~
2 ~~to compliance with Article VI, "Signs," of this Code.~~

3 ...
4 Section 7. Section 39-1249 of the Broward County Code of Ordinances is
5 hereby amended to read as follows:

6 **Sec. 39-1249. Limitation on permitted uses.**

7 ...
8 (b) ~~Signs, accessory to a use permitted under Section 39-1235, Uses~~
9 ~~Permitted, shall be limited as follows:~~

10 (1) ~~No roof sign, projecting sign, marquee sign, billboard sign, banner sign,~~
11 ~~pennant sign or animated sign shall be permitted.~~

12 (2) ~~Each building occupied by such use as a principal use may have 1 wall sign~~
13 ~~not exceeding 2 feet in height or 10 feet in length.~~

14 (3) ~~Each building site occupied by such use may have one ground sign not~~
15 ~~exceeding three feet in width or five feet in length, the top of which shall not~~
16 ~~be over five feet above the ground.~~

17 (4) ~~Each building site may have directional signs, each not over two square feet~~
18 ~~in area, and not exceeding three feet above the ground.~~

19 Erection and maintenance of permitted signs shall be subject to compliance
20 with Article VI, "Signs," of this Code.

21 ...
22 Section 8. Section 8½-16 of the Broward County Code of Ordinances is hereby
23 amended to read as follows:

24
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1 **Sec. 8½-16. Schedule of civil penalties.**

2 ...
3 (a) *Violations of Florida Building Code and Broward County Zoning Code:*

4 **SCHEDULE OF CIVIL PENALTIES**

5 ...

	<i>Fine</i>	
<i>Violation</i>	<i>First Violation</i>	<i>Repeat Violation</i>
(4) Sign erected without a permit (sec. 39-54(1)) <u>Erection or maintenance of a permanent sign without a permit or inconsistent with the terms of a permit (sec. 39-56(a),(b))</u>	150.00	300.00
(5) Maintenance of a sign without a valid sign permit/label (sec. 39-54(5)) <u>Erection or maintenance of a temporary sign without a permit or inconsistent with the terms of a permit (sec. 39-56(d))</u>	150.00	300.00
(6) Failure to renew sign permit/label (sec. 39-54(6)) <u>Improper erection or maintenance of a sign that does not require a permit (sec. 39-56(c))</u>	150.00	300.00
(7) Failure to maintain sign (sec. 39-55(1)) <u>Improper erection of a private sign on publicly owned property or a right-of-way (sec. 39-57(b))</u>	150.00 <u>300.00</u>	300.00 <u>500.00</u>

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1	(8) Failure to remove abandoned sign (sec. 39-55(2))		
2	<u>Erection or maintenance of a prohibited sign</u>	150.00	300.00
3	<u>(sec. 39-59)</u>		
4	(9) Erection or maintenance of temporary sign not in		
5	compliance with code (sec. 39-60) <u>Intentionally deleted.</u>	150.00	300.00
6	...		
7	(18) Display of banners, pennants, flags, sidewalk signs,		
8	balloon signs, or other prohibited signs (sec. 39-52)	150.00	300.00
9	<u>Intentionally deleted.</u>		

10 ...

11 Section 9. SEVERABILITY.

12 If any portion of this Ordinance is determined by any Court to be invalid, the invalid
 13 portion shall be stricken, and such striking shall not affect the validity of the remainder of
 14 this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot
 15 be legally applied to any individual(s), group(s), entity(ies), property(ies), or
 16 circumstance(s), such determination shall not affect the applicability hereof to any other
 17 individual, group, entity, property, or circumstance.

18 Section 10. INCLUSION IN CODE.

19 It is the intention of the Board of County Commissioners that the provisions of this
 20 Ordinance shall become and be made a part of the Broward County Code; and that the
 21 sections of this Ordinance may be renumbered or relettered and the word "ordinance"
 22 may be changed to "section," "article," or such other appropriate word or phrase in order
 23 to accomplish such intentions.

24
 Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

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Section 11. EFFECTIVE DATE.

This Ordinance shall become effective as provided by law.

ENACTED
FILED WITH THE DEPARTMENT OF STATE
EFFECTIVE

PROPOSED

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By /s/ Benjamin Crego 03/20/18
Benjamin D. Crego (date)
Assistant County Attorney

By /s/ Maite Azcoitia 03/20/18
Maite Azcoitia (date)
Deputy County Attorney

BDC/gmb
03/20/18
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