

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, APPENDIX A ZONING, ARTICLE XXXIX SIGN CODE, 39.7 TEMPORARY SIGNS AND ADDING NEW SECTION 39.20-SAVINGS CLAUSE; PROVIDING FOR CLARIFICATION OF ELECTION AND OPINION SIGNS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: The Code of Ordinances of the City of Margate, Florida, Appendix A Zoning, Article XXXIX Sign Code Section 39.7 - Temporary Signs is hereby amended to read as follows:

Section 39.7. - Temporary signs.

(A) General temporary sign regulations.

- (1) A maximum of five (5) temporary signs of each type may be displayed per parcel or lot at any one (1) time.
- (2) Each sign shall not be displayed for more than twelve (12) consecutive months unless otherwise noted in this section.
- (3) Any such sign shall be located wholly on private property, and shall have a minimum setback of one (1) foot from the right-of-way for residential areas and five (5) feet from the right-of-way or interior property line for nonresidential areas, unless otherwise noted in this section.

(B) The following temporary signs shall be permitted in residential and nonresidential districts.

(1) Residential districts.

(a) Announcing sign:

1. Number maximum: One (1) per project on-site.
 2. Area maximum: Eight (8) square feet and a maximum of twenty-four (24) square feet for properties exceeding ten (10) acres in size.
 3. An announcing sign may be displayed from the date of site plan approval until the date that the certificate of occupancy is issued, for a length of eighteen (18) months, or for a change in tenant during build out.
 4. If desired, sign may be placed on construction fence.
- (b) Contractor sign:
1. Number maximum: One (1) per project on site.
 2. Area maximum: Six (6) square feet and a maximum of sixteen (16) square feet for properties exceeding ten (10) acres in size.
 3. Contactor signs may be displayed from the issuance date of a building permit until said permit expires or date of the certificate of occupancy is issued, whichever is less.
 4. If desired, sign may be placed on construction fence.
- (c) Election sign:
1. Area maximum: Six (6) feet for single-family, residential; thirty-two (32) square feet for multi-family residential.
 2. Election signs in multi-family areas may be displayed for a maximum of sixty (60) days prior to the election and must be removed within forty-eight (48) hours after.
 3. Each person wishing to post signs in multi-family areas shall provide the city with a list of the locations and descriptions of each sign, a written consent from the property owner or his authorized agent for each sign, and a local address and telephone number at which s/he (the person wishing to post the sign) may be contacted regarding violations or requirements of this subsection.

1 4. Property owners, individuals filing for a permit
2 and the party erecting the sign shall each be liable
3 for violation of this subsection.

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5 5. Election signs may be displayed for a maximum of
6 twelve (12) months within any calendar year for one
7 and two family dwelling districts only.

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10 (d) *Opinion sign:*

11 1. **Area maximum:** three (3) square feet

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13 2. Opinion signs may be displayed for a maximum of
14 twelve (12) months within any calendar year for one
15 and two family dwelling districts only.

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18 (e) Personal gain sign:

19 1. Number maximum: One (1) per lot on-site; four (4)
20 off-site provided it is not posted in a public right-
21 of way or on other public property.

22 2. Setback minimum: One (1) foot.

23 3. Area maximum: Three (3) square feet per face; two
24 (2) face maximum.

25 4. Length of display: Maximum forty-five (45) days.

26 5. Height maximum: Three (3) feet above grade.

27 (f) Grand opening event sign:

28 1. Number maximum: One (1) banner per project; one
29 (1) balloon per project.

30 2. Area maximum: Sixteen (16) square feet.

31 3. Setback minimum: Banner sign may only be hung from
32 the front of the building.

33 4. Height maximum: Roof line or top of parapet of
34 building.

35 5. Length of display: Sixty (60) consecutive days.

36 6. Approval of the banner must be obtained within
37 sixty (60) days of the release of a model home
38 certificate of occupancy.

7. If balloon and grand opening banner sign are to be displayed, the balloon must be displayed within the sixty-day time period the banner is displayed.
8. All banners may contain the words "grand opening."
9. No advertising of specific products or pricing shall be included on any grand opening banner or balloon.
10. A seventy-five dollar (\$75.00) bond shall be collected to ensure the banner is removed after the sixty-day display.
11. All banners not removed after the approved sixty (60) days shall forfeit the seventy-five dollar (\$75.00) bond to the city.
12. All banners found to be installed without approval shall be immediately removed until such time that approval is granted.

(2) Nonresidential districts.

~~(a)~~ a. Announcing sign:

1. Number maximum: One (1) per project on-site.
2. Area maximum: Twenty-four (24) square feet.
3. An announcing sign may be displayed from the date of site plan approval until the date that the certificate of occupancy is issued, for a length of eighteen (18) months, or for a change in tenant during build out.
4. If desired, sign may be placed on construction fence.

b. Contractor sign:

1. Number maximum: One (1) per roadway.
2. Area maximum: Twenty-four (24) square feet.
3. Contactor signs may be displayed from the issuance date of a building permit until said permit expires or date of the certificate of occupancy is issued, whichever is less.
4. If desired, sign may be placed on construction fence.

c. Walkway sign:

1. Number maximum: One (1) per business with a direct customer entrance from the exterior of the building.
 2. Area maximum: Six (6) feet.
 3. Location: Must be located within fifteen (15) feet of the customer entrance and not permitted in any parking lot.
 4. Width maximum: Not permitted to reduce the walkway to less than five (5) feet in width.
 5. Walkway signs are not permitted on any public sidewalk, except for urban greenways located within the TOC.
 6. The sign must be freestanding. It is not permitted to be tied, or otherwise secured, to any structure or landscaping, etc. for support.
- d. Election sign:
1. Area maximum: Thirty-two (32) square feet.
 2. Election signs may be displayed for a maximum of sixty (60) days prior to the election and must be removed within forty-eight (48) hours after.
 3. Each person wishing to post signs pursuant to this subsection shall provide the city with a list of the locations and descriptions of each sign, a written consent from the property owner or his authorized agent for each sign, and a local address and telephone number at which s/he (the person wishing to post the sign) may be contacted regarding violations or requirements of this subsection.
 4. Property owners, individuals filing for a permit and the party erecting the sign shall each be liable for violation of this subsection.
- e. Opinion sign:
1. Area maximum: Thirty-two (32) square feet.
 2. Opinion signs may be displayed for a maximum of twelve (12) months.

[Note to Municipal Code: The rest of this section shall remain as codified.]

SECTION 2: The Code of Ordinances of the City of Margate, Florida, Appendix A Zoning, Article XXXIX Sign Code is hereby amended to add Section 39.20 - Savings clause, to read as follows:

Section 39.20 - Savings clause.

If any clause, section, or other part of application of Article XXXIX-Sign Code, shall be held by any court of competent jurisdiction to be unconstitutional or invalid, it is the intent of the City Commission of the City of Margate that such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are, and the same is, here by repealed to the extent of such conflict.

SECTION 4. If any section, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 5. It is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the City of Margate Code, and that the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 6. This ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS ____ day of _____ 2016.

PASSED ON SECOND READING THIS ____ day of _____ 2016.

ATTEST:

1 JOSEPH J. KAVANAGH
2 CITY CLERK

MAYOR TOMMY RUZZANO

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6 RECORD OF VOTE - 1ST READING RECORD OF VOTE - 2ND READING

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8 Simone _____
9 Peerman _____
10 Talerico _____
11 Bryan _____
12 Ruzzano _____

Simone _____
Peerman _____
Talerico _____
Bryan _____
Ruzzano _____

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CODING: Words in ~~struck through type~~ are deletions
from existing text; Words in underscored type are
additions.