

CITY OF MARGATE, FLORIDA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CODE OF THE CITY OF MARGATE, FLORIDA, AMENDING APPENDIX-A ZONING; ARTICLE XXXIX SIGN CODE, SECTION 39.8 SUPPLEMENTAL REGULATIONS; PROVIDING FOR WINDOW SIGNS; PROVIDING FOR MINIMUM STANDARDS; PROVIDING FOR AMORTIZATION; PROVIDING FOR REPEAL; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

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**SECTION 1:** The Code of the City of Margate, Florida, Appendix-A Zoning, Article XXXIX Sign Code Section 39.8 Supplemental regulations is hereby amended to read as follows:

**Section 39.8. - Supplemental regulations.**

. . .

(G) *Window signs:* The total area of all window signs (interior, exterior and illuminated) may be no greater than fifty (50) per cent of the total window area of each frontage, including glass doors per window.

*(1) Interior window signs.*

(a) Located within ten (10) feet of the window;

(b) ~~Shall be professionally drawn or constructed;~~  
Perforated vision wrap materials are not permitted;

~~(c) May be a maximum of five (5) colors;~~

(c) Shall be nonilluminated;

<sup>1</sup>CODING: Words in ~~struck through~~ text are deletions from existing text, words in underscored text are additions to existing text, and **shaded** text are changes between First and Second Readings.

1 ~~(e) Letters must be no more than eight (8) inches~~  
2 ~~in height;~~

3  
4 ~~(f) No flashing or strobe lights are permitted.~~  
5

6  
7 (2) *Exterior window signs:*  
8

9 (a) Signs must be constructed from vinyl. ~~and may~~  
10 ~~feature letters no greater than twelve (12)~~  
11 ~~inches in height. Perforated vision wrap~~  
12 ~~materials are not permitted;~~  
13

14 ~~(b) Logos may be five (5) colors and a maximum of~~  
15 ~~four (4) square feet;~~  
16

17 ~~(c) Said signs shall not state any price;~~  
18

19 ~~(b)~~ (d) Signs shall not be applied to or cover any  
20 divider between individual panels in a window;  
21

22 ~~(e) Signs shall be kept in a condition that will~~  
23 ~~maintain their original aesthetic appearance.~~  
24

25 (3) *Illuminated window signs:*  
26

27 (a) Two (2) ~~One (1)~~ illuminated (including neon)  
28 signs may be permitted per bay per occupied  
29 business premises. Signs shall be installed  
30 inside of the occupied business premises  
31 frontage, with the number of bays being  
32 determined by the number of water meters on  
33 record for any subject property;  
34

35 (b) Each ~~The sign(s)~~ shall not exceed four (4)  
36 square feet in area;  
37

38 ~~(c) A maximum of five (5) colors are permitted on~~  
39 ~~the sign;~~  
40

41 ~~(d) Letters shall be no greater than twelve (12)~~  
42 ~~inches in height;~~

1  
2 (ce) The total area of illuminated signs in the  
3 window shall not exceed twenty-five (25) per  
4 cent of the total window area per window, and  
5 further shall be considered for the total  
6 window sign area limitation of fifty (50) per  
7 cent of the total window area of each frontage,  
8 including glass doors, provided above.  
9

10 (d) No flashing or strobe illumination is  
11 permitted.  
12

13 (e) Illuminated window signs that are not battery  
14 operated must have a permanent power source  
15 that has been professionally installed and  
16 permitted by the Margate Building Department.  
17

18 ~~(f) In addition, one (1) illuminated sign that~~  
19 ~~reads "open" may be permitted per bay per~~  
20 ~~frontage, provided that,~~  
21

22 ~~(i) The sign does not exceed four (4)~~  
23 ~~square feet in area;~~  
24

25 ~~(ii) The sign has a maximum of five (5)~~  
26 ~~colors;~~  
27

28 ~~(iii) The letters are no greater than~~  
29 ~~twelve (12) inches in height;~~  
30

31 ~~(iv) The total area of signs in the window~~  
32 ~~does not exceed twenty-five (25) per~~  
33 ~~cent of the total window area per~~  
34 ~~window;~~  
35

36 ~~(v) No flashing or strobe illumination is~~  
37 ~~permitted. The installation and~~  
38 ~~display of an illuminated window sign~~  
39 ~~shall require a permit to insure~~  
40 ~~compliance with the South Florida~~  
41 ~~Building Code and any other~~  
42 ~~applicable codes.~~  
43

1 (4) ~~{Year round provisions.}~~ Window lighting. Any Neon,  
2 LED, rope lighting, window outlining or other  
3 similar lighting devices are not permitted year  
4 round unless otherwise noted when professionally  
5 installed inside of a business. Said lighting shall  
6 not count toward limitations of window sign area.  
7

8 (5) Window transparency. Sunscreening material, such as  
9 tint or film, may be applied to non-residential  
10 windows and glass doors, subject to the following  
11 limitations:  
12

13 (a) No sunscreening material may be applied to  
14 windows and glass doors at any business premises  
15 that has the effect of making said windows or glass  
16 doors nontransparent. Sunscreening material(s)  
17 shall be limited to the solar reflectance and light  
18 transmittance limitations provided in Florida  
19 Statute 316.2953, as amended; and  
20

21 (b) Sunscreening material shall not count toward  
22 window sign coverage, unless said material displays  
23 lettering or images.  
24

25 . . .  
26 [Note to Municipal Code: The rest of this section shall  
27 remain as codified.]  
28

29 **SECTION 2:** The Code of the City of Margate, Florida,  
30 Appendix-A Zoning, Article XXXIX Sign Code Section 39.14  
31 Legal nonconforming signs, nonconforming signs, abandoned  
32 signs, is hereby amended to read as follows:  
33

34 **Section 39.14.** - Legal nonconforming signs, nonconforming  
35 signs, abandoned signs.  
36

37 . . .  
38 (D) Amortization. Window signs which are found to be non-  
39 conforming to this article shall be altered to conform  
40 to the provisions of these regulations no later than  
41 November 2, 2018.  
42

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

3  
4 **SECTION 3:** The Code of the City of Margate, Florida,  
5 Appendix-A Zoning, Article XXXIX Sign Code Section 39.16  
6 Signs exempt from permit requirements, is hereby amended to  
7 read as follows:  
8

9 **Section 39.16 - Signs exempt from permit requirements.**

10  
11 (A) The following signs shall be exempt from permit  
12 requirements of this section:

13  
14 (1) Signs required by federal, state, county and/or  
15 municipal agencies.

16  
17 (2) Temporary window signs. Window signs that are  
18 permanently applied or affixed to a window, such  
19 as vinyl lettering or decals, require a permit.  
20 ~~(except illuminated window signs as provided for~~  
21 ~~in section 39.8(C)(3)).~~

22  
23 (3) Up to five (5) temporary and single-purpose  
24 signs, not exceeding six (6) square feet on any  
25 residentially zoned property.

26  
27 (4) Flags allowed under this Code. Flag poles  
28 require a permit.

29  
30 (5) Nameplate, and building address signs.

31  
32 (6) Tablets, such as memorials, cornerstones, date of  
33 erection, when built into the walls of a  
34 building.

35  
36 (7) Professionally drawn or constructed general  
37 information signs, such as trespass signs,  
38 private driveway, and no dumping, when such signs  
39 do not exceed four (4) square feet in area each,  
40 are not illuminated, and do not project over a  
41 public right-of-way provided total number of  
42 signs on a property or in a complex will not  
43 exceed five (5), unless additional signs are

required for compliance with state or federal regulations.

(8) Changing of copy in permitted changeable copy signs.

(9) Changing of directory listing in a permitted directory sign provided the size, style, and color of the listing to be changed conforms with the existing lettering on the sign.

(10) Traffic regulatory signs with approval from city engineer.

(11) Special event signs and nonprofit sale signs as allowed in section 39.7(B)(7).

(12) Replacement tenant panels as provided in section 39.8(O).

(13) Promotional advertising banners. Permanent poles for banners require a permit.

(14) Car dealership signs as provided for in section 39.8(P).

(B) This exemption in no way waives the requirements of structural and/or safety requirements outlined by these regulations and/or the Florida Building Code.

**SECTION 4:** The Code of the City of Margate, Florida, Appendix-A Zoning, Article XXXIX Sign Code Section 39.19 Waivers, is hereby amended to read as follows:

**Section 39.19. - Waivers.**

(A) No sign shall be permitted to be erected or displayed contrary to the provisions of this article unless a waiver is approved by a majority vote of the members of the board of adjustment.

(B) A decision to grant a waiver by the board of adjustment must be in conformance with the following criteria:

- 1 (1) There is something unique about the building or site  
2 configuration that would cause the signage permitted  
3 by this article to be ineffective in identifying a  
4 use or structure that would otherwise be entitled to  
5 a sign.  
6
- 7 (2) The granting of a waiver is not contrary to the  
8 intent of the sign code, ~~the adopted community~~  
9 ~~redevelopment plan, the City of Margate Comprehensive~~  
10 ~~Plan,~~ the aesthetics of the area, or does not create  
11 a nuisance or adversely affect any neighboring  
12 properties.  
13
- 14 (3) Literal enforcement of this article would result in  
15 unreasonable and undue hardship upon the petitioner.  
16
- 17 (C) Any person may petition the board of adjustment for a  
18 waiver of the affecting provisions of this article  
19 provided they:  
20
- 21 (1) Complete a petition application form as provided by  
22 the economic development department;  
23
- 24 (2) Submit payment to the city in the amount specified by  
25 section 2-79 of the Code of the City of Margate;  
26
- 27 (3) Prove that the proposed sign meets the criteria laid  
28 out above.  
29
- 30 (D) Any waiver may be conditioned on requirements deemed  
31 necessary in granting said waiver. Variances pursuant to  
32 any other code shall not be available for signs (as  
33 defined by this Code). Except as provided herein, waivers  
34 as provided for in this section shall be heard and  
35 appealed pursuant to the procedures contained in section  
36 2-79 through section 2-81 of the Code of the City of  
37 Margate.  
38
- 39 (E) Any waiver granted pursuant to this section shall become  
40 null and void if a building permit for the approved sign  
41 is not applied for within one hundred eighty (180) days of  
42 the ruling from the board of adjustment or Margate City  
43 Commission. Additionally, said waiver shall become null  
44 and void in the event that a permit expires or is revoked.

(F) All signs approved by this waiver process must be constructed and installed as per the information presented to the board of adjustment and/or Margate City Commission both in writing and verbally. Failure to construct a sign per the information presented shall render the waiver null and void and any sign installed in its place shall be immediately removed.

**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are and the same is hereby repealed to the extent of such conflict.

**SECTION 6:** If any section, sentence, 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 7:** 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 relettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 8:** This ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS 18<sup>th</sup> day of APRIL 2018.

PASSED ON SECOND READING THIS 2<sup>ND</sup> day of MAY 2018.

ATTEST:

\_\_\_\_\_  
JOSEPH J. KAVANAGH  
CITY CLERK

\_\_\_\_\_  
MAYOR ARLENE R. SCHWARTZ

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

Peerman	<u>YES</u>	Peerman	_____
Simone	<u>YES</u>	Simone	_____
Ruzzano	<u>YES</u>	Ruzzano	_____
Caggiano	<u>YES</u>	Caggiano	_____
Schwartz	<u>YES</u>	Schwartz	_____