

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 39.2 - DEFINITIONS AND SECTION 39.17 - PROHIBITED SIGNS; PROVIDING FOR VEHICLE SIGNS; PROVIDING FOR REPEAL; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1: The Code of the City of Margate, Florida, Appendix-A Zoning, Article XXXIX Sign Code Section 39.2. - Definitions, is hereby amended to read as follows¹:

Section 39.2. - Definitions.

The following words, terms and phrases, when used in this article shall have the meaning ascribed to them in this section, except where the context clearly indicated a different meaning:

. . .

[Note to Municipal Code: The portion above this subsection shall remain as codified.]

Vehicle sign: Any sign or signs permanently or temporarily affixed to or painted on a transportation vehicle, including, but not limited to, automobiles, trucks, boats, trailers, or campers, for the primary purpose of identification, advertisement, sales, or directing the public to a business, person, event or activity located on the same or another property, or any other premises. A sign which is attached to, mounted, pasted, painted, or drawn on a motorized or drawn vehicle, and is parked and visible from the public right-of-way; unless said vehicle is used for transporting people or materials in the normal day to day operation of the business.

¹CODING: 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.

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3 *Wall sign:* A sign which is affixed to and supported by
4 wall or other enclosure.

5 *Wayfinding sign:* An off-premises sign with symbols, text,
6 maps, or other similar graphics that are used to convey
7 location and directions to travelers.

8 *Window:* For purposes of this section a window is a set of
9 contiguous panels of glass or other transparent material
10 separated by dividers six (6) inches or smaller.

11 *Window sign, interior:* A sign located on the inside of a
12 window or within ten (10) feet of window or enclosed
13 structure which is visible from the exterior through a
14 window or other opening.

15 *Window sign, exterior:* A sign affixed or applied to the
16 exterior of a window.

17 **SECTION 2:** The Code of the City of Margate,
18 Florida, Appendix-A Zoning, Article XXXIX Sign Code Section
19 Section 39.17. - Prohibited signs, is hereby amended to read
20 as follows:
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22 Section 39.17. - Prohibited signs.

23 The following signs are those signs which shall not be
24 installed or displayed within the city unless specifically
25 identified and permitted in other sections of these
26 regulations:

27 (A) Abandoned signs.

28 (B) Advertising balloons or any windborne advertising or
29 attention getting devices except as outlined in section
30 39.7 and section 39.8(F).

31 (C) Flashing signs.

32 (D) Banner signs except as a temporary grand opening sign
33 or for approved special events, non-profit sales,
34 academic schools or religious institutions (see section
35 39.7, "temporary signs").

36 (E) Buntings, balloons and flags other than specifically
37 permitted this article.

- (F) Obscene signs.
- (G) Off-premises signs and billboards, including off-premises project directional.
- (H) Pole signs.
- (I) Roof signs (except on a mansard) except where such sign is located on a parapet.
- (J) Snipe signs.
- (K) Temporary signs and permanent signs (other than public interest signs) placed on any public property (a shopping center parking lot shall not be deemed public property for the purposes of enforcing this section).
- (L) Any sign that could be confused with a traffic signal.
- (M) Visible neon bulb, LED, or other bare bulb signs or building embellishment (except as provided for in section 39.8.(G)3).
- (N) Any sign not permitted by this article.
- (O) Signs exceeding the height of a facade.
- (P) Vehicle signs ~~when a vehicle displaying a vehicle sign is:~~
- ~~(1) Parked for more than three (3) hours in a twenty-four hour period within one hundred (100) feet of any public right of way; and~~
 - ~~(2) Visible from the street right-of-way that the vehicle is within one hundred (100) feet of; and~~
 - ~~(3) Not regularly "used in the conduct of the business advertised" on the vehicle (A vehicle used primarily for the purpose of advertising, or for the purpose of providing transportation for owners or employees of the occupancy advertised on the vehicle, shall not be considered a vehicle used in the conduct of business); and~~
 - ~~(4) Not parked in the rear of the parking lot or in the rear of the building which contains the business. On properties which do not provide a rear parking area, vehicle signs are parked in parking spaces immediately adjacent to the street right-of-way when other parking spaces are available on the premises, and are displayed in a manner that constitutes a prohibited sign per section 39.17 of the Margate Zoning Code.~~

~~(This section is not intended to prohibit any form of vehicular signage such as a sign attached to a bus, lettered on a motor vehicle or attached to or displayed from a taxicab which is not consistently used as a stationary sign or advertisement. In the instance where a sign advertising the sale of the vehicle itself on the residential property of the registered owner of the vehicle, said sign shall be considered a personal gain sign and shall be subject to all applicable provisions of such signs on the owner's property. Furthermore vehicles displaying a vehicle sign parked on properties with physical constraints which cannot accommodate location requirements provided for in sections (1)-(4) above shall be exempt from said requirements.)~~

(Q) Signs projecting horizontally in excess of twelve (12) inches from the structure upon which it is constructed.

(R) Bench or bus shelter signs except those permitted by section 39.8(A) (4).

(S) Signs painted directly upon any wall surface or exterior of a door or window.

(T) Signs which are erected upon private property and extend into or above, or are anchored or placed in any portion of the right-of-way of a city street or public sidewalk, except grand projecting signs located in the transit oriented corridor zoning districts.

(U) Signs attached to trees or other vegetative landscaping material.

(V) Signs that emit sound, odor, visible matter or project onto a structure or into the atmosphere any visual image by means of current or future technology including searchlights.

(W) Human signs.

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

SECTION 4: 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 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 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 6: This ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS _____ day of _____ 2019.

PASSED ON SECOND READING THIS _____ day of _____ 2019.

ATTEST:

JOSEPH KAVANAGH
CITY CLERK

MAYOR ANTHONY N. CAGGIANO

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

Simone	_____	Simone	_____
Arserio	_____	Arserio	_____
Schwartz	_____	Schwartz	_____
Ruzzano	_____	Ruzzano	_____
Caggiano	_____	Caggiano	_____