

ORDINANCE 2015-3

AN ORDINANCE OF THE CITY OF OCALA, FLORIDA, CONCERNING SIGNS; AMENDING SECTION 110-3 PROVIDING FOR DEFINITIONS BY REVISING THE DEFINITION FOR "FLAG"; AMENDING SECTION 110-3 PROVIDING FOR DEFINITIONS BY ADDING DEFINITIONS FOR "BUSINESS IDENTITY FLAG," "COMMERCIAL FLAG," AND "NONCOMMERCIAL FLAG"; AMENDING SUBSECTIONS 110-6(7) AND (18) BY CREATING AN EXEMPTION FOR NONCOMMERCIAL FLAGS AND BY ADDING THE WORD "COMMERCIAL" TO EXEMPTED TEMPORARY FLAGS; AMENDING SUBSECTION 110-161(c) BY REVISING THE PROVISIONS CONCERNING TEMPORARY COMMERCIAL FLAGS; ADDING SECTION 110-164 BY ADDING REQUIREMENTS FOR A BUSINESS IDENTITY FLAG, COMMERCIAL FLAG AND NONCOMMERCIAL FLAG; AMENDING SECTION 122-2 PROVIDING FOR DEFINITIONS BY REVISING THE DEFINITION FOR "FLAG"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Ocala, Florida as follows:

Section 1. That Section 110-3 of the Code of Ordinances, City of Ocala, Florida is hereby amended by revising the following definition, which shall be codified such that all definitions in such section are in alphabetical order:

Sec. 110-3. - Definitions.

Flag means any cloth, paper, fabric, plastic or similar material, usually rectangular in shape, whether or not the material displays characters, ornamentation or letters, attached to any staff, cord, building or other structure, that hangs loosely or blows in the wind.

Section 2. That Section 110-3 of the Code of Ordinances, City of Ocala, Florida is hereby amended by adding the following definitions, which shall be codified such that all definitions in such section are in alphabetical order:

Sec. 110-3. - Definitions.

Business identity flag means a flag that advertises only the name or logo of a business located on the premises where the flag is flown.

Commercial flag means any flag that advertises grand openings, special sales or other events

(both profit and non-profit events) on the premises where the flag is flown or on other premises.

Noncommercial flag means any flag other than a business identity flag or commercial flag including, without limitation, a flag of any governmental, religious, charitable, fraternal or political organization or cause.

Section 3. That Subsections 110-6(7) and (18) of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 110-6. - Exemptions.

The following signs are exempt from the permit, area and location requirements of this chapter, but must still meet applicable construction standards and obtain electrical permits if required by the City's building code.

(7) Noncommercial flags.

(18) Pennants, banners, balloons, commercial flags or streamers having a total surface area of not more than 200 square inches, so long as no such pennant, banner, balloon, commercial flag or streamer is placed or allowed to exist within 50 feet of any other pennant, banner, balloon, commercial flag or streamer located on the same property.

Section 4. That Subsection 110-161(c) of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 110-161. - Temporary signs, real estate signs and construction signs.

(c) *Temporary pennants, banners, balloons, commercial flags or streamers.* Temporary pennants, banners, balloons, commercial flags or streamers may be erected in B-1, B-1A, B-2, B-2A, B-3, B-4, B-5, M-1 and M-2 zones for the purpose of advertising grand openings, special sales and other temporary events. Such temporary pennants, banners, balloons, commercial flags or streamers shall be permitted on any single property for a period not to exceed two weeks and not more often than four times a year.

(1) The pennants, banners, balloons, commercial flags, streamers or combination thereof shall not exceed 50 percent of the freestanding signage allowed for the property in question.

(2) Such pennants, banners, balloons, commercial flags or streamers shall be attached to a building or other secure anchor in a manner that withstands the wind pressure specified by the applicable building code.

(3) Permits shall be required for such pennants, banners, balloons, commercial flags or streamers as outlined in article II, division 2 of this chapter.

Section 5. That Section 110-164 of the Code of Ordinances, City of Ocala, Florida, is hereby added to read as follows:

Sec 110-164. - Business identity flag.

(a) A business identity flag is allowed in all zoning districts (excluding R-1, R-1A, R-1AA, R-2 and MH) subject to the following:

- 1) Only one flag shall be allowed for each street frontage of a parcel; and
- 2) The flag is not counted towards the on-site signage allowed under this chapter.

Section 6. That Section 122-2 of the Code of Ordinances, City of Ocala, Florida is hereby amended by revising the following definition, which shall be codified such that all definitions in such section are in alphabetical order:

Sec. 122-2. - Definitions.

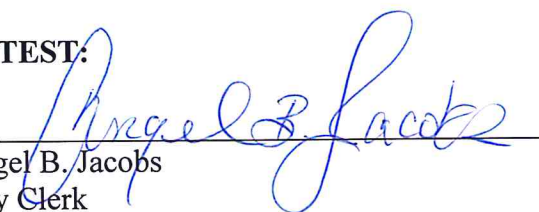
Flag means any cloth, paper, fabric, plastic or similar material, usually rectangular in shape, whether or not the material displays characters, ornamentation or letters, attached to any staff, cord, building or other structure, that hangs loosely or blows in the wind.

Section 7. Severability Clause: Should any provision or section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 8. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 9. This ordinance shall take effect upon approval by the mayor, or upon becoming law without such approval.


ATTEST:

By: 
Angel B. Jacobs
City Clerk

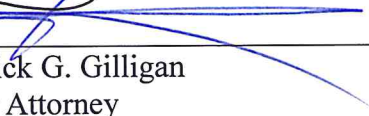
CITY OF OCALA

By: 
John M. McLeod
President, Ocala City Council

Approved/Denied by me as Mayor of the City of Ocala, Florida, on 11/7/2014, 2014.

By: 
Reuben Kent Guinn
Mayor

~~Approved as to form and legality:~~

By: 
Patrick G. Gilligan
City Attorney

Ordinance No: 2015-3
Introduced: 10/21/2014
Adopted: 11/4/2014
Legal Ad No: A000841099 - 10/24/14