

ORDINANCE 2009-01

AN ORDINANCE OF THE CITY OF BELLEVIEW, FLORIDA; RELATING TO AN AMENDMENT TO THE CHAPTER 126 – SIGNS, OF THE CITY LAND DEVELOPMENT REGULATIONS SUBPART B OF THE CITY OF BELLEVIEW CODE OF ORDINANCES; PROVIDING AN UPDATE TO CHAPTER 126, SECTION 6 (D): PROMOTIONAL SIGNS/BANNERS; ESTBALISHING REQUIREMENTS FOR DISPLAY OF BANNERS AT BUSINESSES WITHIN THE CITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission did on February 3, 2009 hold a public hearing, with public notice, and the City Commission reviewed and considered all comments received during the public hearing, including the recommendation of staff, concerning said application for amendment, as described below, to the City Code of Ordinances; and

WHEREAS, the City Commission recognizes that the display of signs: should be conducted so as to enhance the appearance of Belleview, to be appropriate to the land, building and use, to be adequate but not excessive for the purpose for which they are intended, and so as not to adversely distract motorist; and

WHEREAS, the City Commission desires to establish requirements for the display of banners to promote business and commerce within the City of Belleview and thereby enhance economic vitality throughout the City; and

WHEREAS, the City Commission has determined and found said the amendments, as described below, to be compatible with the goals, objectives and policies, of the City's Comprehensive Plan and Code of Ordinances including the Land Development Regulations; and

WHEREAS, the City Commission has determined and found that approval of said amendments, as described below, to the Code of Ordinances and Land Development Regulations would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BELLEVIEW, FLORIDA, AS FOLLOWS:

Section 1. Chapter 126 Signs, Section 6 (D) of the City Land Development Regulations Subpart B of the City Code of Ordinances is hereby amended to read as follows:

D. Promotional Signs/Banners:

Promotional signs/banners are allowed and no permit will be required, subject to the following terms:

1. One banner per business may be displayed. Except, valid sign businesses may have additional banners providing they do not contain advertising content. (Example: Language such as “Banners for Sale” is allowable).
2. All banners shall be maintained and kept in good repair (not frayed or torn and all repairs should be permanent, matching original or new condition to the extent possible). The intent of this regulation is to ensure sufficient repair so as not to degrade the overall appearance of the sign/banner.
3. Each banner shall not exceed sixty (60) square feet in size.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflicts Repealed. All ordinances or parts of ordinances in conflict with this Ordinance shall be repealed to the extent of such conflict. If any portion of this Ordinance is found to be invalid, then only that portion of this Ordinance shall be stricken.

Section 4. Effective Date. This Ordinance shall become effective immediately upon adoption.

CERTIFICATE OF ADOPTION AND APPROVAL

The above and foregoing ordinance was duly read and approved upon First Reading by a 5-0 vote of the City Commission of the City of Belleview, Florida, at a Regular Meeting held on January 20, 2009. Said ordinance was duly read, passed, and adopted upon Final Reading by a 5-0 vote of the City Commission of the City of Belleview, Florida at a Regular Meeting held on February 17, 2009.

TAMMY C. MOORE
Mayor/Commissioner

Attest:

SANDI McKAMEY, MMC, CPM
City Clerk/Administrator

APPROVED AS TO FORM AND LEGALITY:

FREDERICK E. LANDT, III
City Attorney

CERTIFICATE OF POSTING

I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at City Hall and the Chamber of Commerce in the City of Belleview, Florida, on the ___ day of _____, 2009.

Margaret DeGennaro, CMC, CPS
Deputy City Clerk