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**AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA
AMENDING CHAPTER 23, "SIGNS AND ADVERTISING," OF THE
TOWN CODE OF ORDINANCES, TO PROVIDE FOR CLARIFICATION
REGARDING THE PERMITTING AND REGULATION OF SIGNAGE;
PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND
AN EFFECTIVE DATE.**

WHEREAS, Chapter 23 of the Town of Highland Beach Code of Ordinances regulates signs; and,

WHEREAS, the Town Commission desires to amend the current sign code in order to provide for clarification regarding the permitting and regulation of signs; and,

WHEREAS, the Town Commission determines that the adoption of this Ordinance is in the interests of the health, safety and welfare of the citizens and residents of the Town of Highland Beach.

NOW, THEREFORE, BE IT ORDAINED by the Town Commission of the Town of Highland Beach, Florida, as follows:

Section 1. The foregoing Whereas clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. The Town Commission hereby amends Chapter 23, "Signs and Advertising" of the Town Code of Ordinances to read as follows (additional language underlined and deleted language stricken through):

Chapter 23 SIGNS AND ADVERTISING

Sec. 23-1. Definitions.

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

Area of sign means the square foot area enclosed by the perimeter of the sign structure with each face contributing to the aggregate area.

~~Balloon or blimp means inflatable used for advertising.~~

Banner means a sign applied to cloth, paper or any animated rotating and/or fluttering devices used to attract attention (including colored or plain unadorned devices, i.e., flaps).

1
2 ~~*Billboard* means a sign structure, including buildings that advertise~~
3 ~~an establishment or service for a place other than on the property on~~
4 ~~which the sign is located.~~

5
6 *Double-faced sign* means a sign with two (2) faces, mounted back
7 to back, attached to a support, and/or a single sign with two (2) faces.

8
9 *Electrical sign* means a sign or sign structure in which electrical
10 wiring, connections and /or fixtures are used as part of the sign proper or
11 used in an adjacent or nearby area to illuminate a sign.

12
13 *Flag* means a piece of cloth usually attached at one edge to a
14 staff/pole or cord.

15
16 *Intermittent lighting, animation, moving or rotating sign* means a
17 sign shall not involve intermittent lighting, animation, motion or rotation of
18 any part of a sign structure or display; except for governmental traffic
19 signals, traffic devices and traffic signs as required by law.

20
21 ~~*Illegal sign* means a sign which is not allowed in section 23-7.~~

22
23 *Nonconforming sign* means a sign erected prior to June 2, 1987,
24 which does not conform to this chapter.

25
26 *Obscene sign* means a sign exhibiting thereon any lewd, lascivious,
27 or obscene, character, or illustration.

28
29 *Off-Premises sign* means a sign that advertises an establishment,
30 merchandise, a service, or entertainment which is sold, produced,
31 manufactured, or furnished at a place other than the premises on which
32 the sign is located, however, non-commercial messages shall never be
33 considered off-premises.

34
35 *Outdoor display case* means a structure used to display or house
36 posters, pictures, reading matter or signs.

37
38 ~~*Pendant* means an auxiliary or supplementary sign, affixed or~~
39 ~~hung below a permanent sign. Such signs are used to indicate~~
40 ~~"apartment(s) for sale or lease," "vacancy," "heated pool," etc.~~

41
42 *Permanent sign* means a sign used to identify or name a residence,
43 apartment or condominium building, motel or hotel.

44
45 *Premises* means the real property (as a unit) which is involved by
46 the sign; includes the land or the land and the building(s).

1
2 *Real estate sign* means a sign advertising the premises for rent, for
3 sale or for lease by an owner or his agent.

4
5 *Roof sign* means a sign erected on the roof, or above the roof line,
6 or on the parapet.

7
8 *Searchlight* means a large light used to attract attention by lighting
9 the sky for the purpose of advertising.

10
11 *Sidewalk or sandwich sign* means a movable sign, not secured or
12 attached to the ground.

13
14 *Sign* means the use of letters, words, emblems, trademarks,
15 numbers or symbols to inform or advertise.

16
17 *Temporary building sign* means a single sign erected or maintained
18 on the premises undergoing new construction by any owner, advertising
19 the premises for rent, for sale or for lease.

20
21 *Traffic confusion sign* means a sign or other advertising matter
22 erected at the intersection of any streets or in any street right-of-way in a
23 manner so as to obstruct free and clear vision; or at any location where,
24 by reason of the position, shape, or color, it may interfere with, obstruct
25 the view of, or be confused with any authorized traffic sign, a traffic signal,
26 or traffic device; or which makes use of the words "stop", "look", "drive-in",
27 "danger", or any other word, phrase, symbol, or character in a manner as
28 to interfere with, mislead, or confuse vehicular traffic.

29
30 *Vehicular sign* means a sign placed on a vehicle or trailer that is
31 parked on a street, public right-of-way or private property for the primary
32 purpose of displaying the sign for advertising a commercial enterprise.

33
34 ~~*Vehicle sign* means a sign affixed to a vehicle, parked within the~~
35 ~~corporate limits of the Town of Highland Beach, for the purpose of~~
36 ~~business advertising and licensing regulations in conformance with state~~
37 ~~statutes.~~

38
39 **Sec. 23-2. Purpose.**

40
41 The purpose of this chapter is to govern the number, size, location
42 and character of all signs which may be permitted. No sign shall be
43 erected or permitted in any location except in conformity with this chapter.
44 This chapter is intended to prevent the random and indiscriminate erection
45 of signs and to provide for the protection of the residential aspect of the
46 town.

1
2 **Sec. 23-3. Permit—Required; application; waiver.**
3

4 It shall be unlawful for any person to post, display, repair, change or
5 erect a sign in the town without first obtaining a permit or registration,
6 unless such permit is specifically waived in this chapter. When repair of an
7 existing sign involves the expenditure of less than fifty (50) percent of its
8 replacement value as determined by the building department, a permit
9 may be waived. All application for sign or sign structure permits required in
10 this section shall be filed by the sign or sign structure owner or his agent in
11 the office of the building department. The application forms shall be
12 supplied by the town. Applications will be reviewed by the building
13 department as to conformance with this chapter and will be either
14 approved or denied. Before a permit is issued, the planning board will then
15 review all applications properly submitted at its next scheduled regular
16 meeting. The application will either be approved or denied. If the
17 application is denied by either the planning board and/or the building
18 department, the applicant may then seek relief from the town commission.
19

20 **~~Sec. 23-4. Same—Fee.~~**
21

22 ~~It shall be unlawful for any person to post, display or erect within~~
23 ~~the town a permitted sign structure, without having first paid a permit fee~~
24 ~~to the town as follows:~~
25

26 ~~(1) —Permanent signs: The fee shall be one hundred thirty five~~
27 ~~dollars (\$135.00). The sign is to include electrical wiring, and~~
28 ~~electrical permit must be obtained.~~
29

30 ~~(2) —Temporary signs:~~
31

32 ~~a. —Construction: The fee shall be two hundred fifty~~
33 ~~dollars (\$250.00) for each six month period or part~~
34 ~~thereof.~~

35 ~~b. —Vacant land: One real estate sign "for sale," the fee~~
36 ~~shall be thirty five dollars (\$35.00). (See additional~~
37 ~~requirements section 23-7(b)(5).~~
38

39 **Sec. 23-54. Same Permit—Issuance.**
40

41 (a) Provided the provisions of this chapter have first been
42 complied with, and the signs or advertising structures do not violate any of
43 the terms conditions or provisions of this chapter, or any law or ordinance,
44 the building department, or some other person so designated by the town
45 manager, shall issue a permit for such sign or advertising structure,
46 retaining a copy thereof for the records. Construction of the sign or sign

1 structure shall be completed within ninety (90) days of issuance of the
2 permit or the permit will expire.
3

4 (b) Permits for signs shall be on a form as promulgated by the
5 building department and shall only be required for permanent signs. The
6 application form and associated submission materials shall include the
7 following:
8

- 9 1. The type of sign and/or sign structure as set forth in this
10 code.
- 11 2. The street address of the premises upon which the sign
12 and/or sign structure is to be located along with identification
13 of where on said premises the sign will be located. If there is
14 no street address, another suitable method of identifying the
15 location shall be provided.
- 16 3. The area per sign face and the aggregate area of the sign
17 and/or sign structure.
- 18 4. The name and address of the owner or other person in
19 control or possession of the real property upon which the
20 sign or sign structure is to be located.
- 21 5. Written consent of the owner, or his/her designated agent,
22 granting permission for the construction, operation,
23 maintenance, or displaying of the sign and/or sign structure.
- 24 6. Two copies of a blueprint, sketch, blue line print, or similar
25 presentation, drawn to scale and dimensioned, showing
26 elevations of the sign as proposed and its relationship to
27 other existing or proposed signs or sign structures in the
28 area. In the case of a free-standing sign, the representation
29 shall include a sketch site plan showing the location of the
30 sign.
- 31 7. Appropriate exhibits showing the proposed location of the
32 sign with respect to nearby structures and vegetation.
- 33 8. A sign contractor shall provide a signed certificate stating
34 that the sign and/or sign structure meets wind loading to
35 withstand a pressure of fifty (50) pounds per square foot.
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1 **Sec. 23-6. Bond, insurance requirements.**
2

3 ~~It shall be unlawful for any person to engage in the business of~~
4 ~~erecting, maintaining or repairing signs, or otherwise dealing with outdoor~~
5 ~~advertising within the town, unless such person has filed with the town a~~
6 ~~bond or certificate of public liability and property damage insurance~~
7 ~~executed by a company authorized to do business in the state, in a sum of~~
8 ~~not less than three hundred thousand dollars (\$300,000.00) for injury to~~
9 ~~one person and five hundred thousand dollars (\$500,000.00) in aggregate,~~
10 ~~and one hundred thousand dollars (\$100,000.00) for damage to property.~~
11

12 **Sec. 23-75. Permitted signs.**
13

14 (a) *Generally.* Signs are permitted only along the road frontage
15 unless otherwise indicated.
16

17 (b) *All zoning districts.*
18

19 (1) In all zoning districts one single-faced "No Trespassing" or
20 "Posted" sign is permitted for each one hundred (100) feet of
21 road frontage. This single-faced sign shall not exceed
22 Florida State Statutes or Department of Transportation
23 standards, nor exceed three (3) square feet in size and shall
24 be non-illuminated. No permit is required.
25

26 (2) In all zoning districts, one entrance (ingress) and one exit
27 (egress) sign is permitted for directing traffic flow. Each sign
28 may be single-faced or double-faced and shall meet
29 Department of Transportation standards, and not exceed
30 three (3) square feet in size. Each sign may be illuminated or
31 non-illuminated as determined by the owner and police
32 department. A permit is required.
33

34 (3) In all zoning districts, one street number sign is allowed for
35 each major entrance and may be single-faced or double-
36 faced, not to exceed three (3) square feet per face. These
37 street number signs should be readily visible at all times
38 from the main highways leading into the entrance. These
39 signs may be illuminated but not with intermittent or colored
40 lights or animation. No permit is required.
41

42 (4) The flying of ~~a national, state and town~~ flags is permitted in
43 all zoning districts. A limit of ~~two (2)~~ four (4) flags per site
44 premises is allowed at any one time. No permit is required.
45 This limit shall not apply to flags that are placed on the
46 premises no earlier than five days prior to the Memorial Day,

1 July 4 and Veteran's day national holidays where the flags
2 are removed within five days after the holiday and where the
3 flag is no larger than two square feet in area.
4

5 (5) On vacant land in all zoning districts, one on-site non-
6 illuminated real estate "for sale" sign is permitted. The sign
7 may be single-faced or double-faced, not to exceed twelve
8 (12) inches in height by eighteen (18) inches in width,
9 swinging-type, with post. ~~A permit is required.~~ (See
10 additional requirements ~~section 23-7(b)(5), (b)(6) a., b., c.,~~
11 ~~d., e.~~ in subsection (b)(6) below).
12

13 (6) No temporary real estate signs shall be permitted except
14 those erected by property owners or the owner's agent, and
15 such signs shall be subject to the following conditions:
16

17 a. Not more than one sign shall be erected for each
18 property premises.
19

20 b. The size of each sign shall be limited to an area not
21 more than twelve (12) inches in height by eighteen
22 (18) inches in width per side. Signs may be
23 constructed to permit lettering on both front and rear,
24 lettering shall be black on white background.
25

26 c. Signs are to be two-sided "swinging type" with posts
27 to be one inch black angle-iron, six (6) feet in length
28 with four (4) feet above ground from the top of sign
29 when installed and with a piece of one inch by one
30 inch by one-eighth (1/8) inch black angle-iron placed
31 horizontally, four (4) feet from top of post (ground
32 level).
33

34 d. Removal of signs after sale or rent, within five (5)
35 working days.
36

37 e. One additional "open house" real estate sign shall be
38 permitted for a forty-eight-hour period for sale of
39 properties and is to be removed immediately after the
40 two (2) day period. However, if there is a national
41 holiday that falls on a Friday or Monday then such
42 signs shall be allowed for a seventy-two hour period
43 over the holiday weekend. Such sign shall be of the
44 same size, color and installation as set forth in b. and
45 c. above.
46

1 f. No riders or tubes or any other type mechanism
2 designed to hold paper or pamphlets shall be allowed
3 on any real estate sign.
4

5 (c) *All zoning districts.*
6

7 (1) *Temporary signs.* One temporary non-illuminated sign is
8 permitted within the boundaries of the site, either:
9

10 a. *Construction sign:* For premises undergoing new
11 construction only, for which a building permit is in
12 force, one non-illuminated single-faced or double-
13 faced sign not exceeding sixteen (16) square feet per
14 face is allowed but not less than three (3) feet on any
15 one side. This temporary sign may include a
16 maximum of two (2) names, limited to the developer's
17 and/or general contractor's names. Each entity may
18 include one telephone number and/or one website
19 address. All lettering is to be in black on a white
20 background. Maximum letter height shall be three (3)
21 inches. An artist's rendering of the proposed structure
22 is allowed. A maximum of ~~three (3)~~ four (4) colors will
23 be allowed within the artist's rendering. A graphic
24 representation of the sign, drawn to scale, must be
25 submitted as part of the application. The temporary
26 sign may not be installed on the building or
27 construction site fence. The sign shall include the
28 street address number in letters three (3) inches high.
29 Removal of this temporary sign is required as a
30 condition for issuing the certificate of occupancy. The
31 ~~planning board~~ building official reviews the sign for
32 approval ~~and a permit is required~~; or
33

34 b. *Real estate sign:* One non-illuminated real estate
35 sign advertising the premises "for sale" by the owner
36 or his agent. This sign may be single-faced or double-
37 faced, not to exceed twelve (12) inches in height by
38 eighteen (18) inches in width, swinging-type on a
39 post. No permit is required. (See additional
40 requirements ~~section 23-5(b)(6)a., b., c., d., e. in~~
41 subsection (b)(6) above).
42

43 (2) *Temporary Non-Commercial Signs*
44

45 a. A temporary non-commercial sign may be placed on
46 public right-of-way contiguous to private property with

1 the adjacent private property owner's permission.
2 When located on the east side of A-1-A, the sign shall
3 be located immediately next to a landscaped area,
4 and when located on the west side of A-1-A, the sign
5 shall be located west of the sidewalk/walking path.
6 Such sign shall not be placed in medians.
7

8 b. Each temporary non-commercial sign within a public
9 right-of-way shall be removed within forty-eight (48)
10 hours after the date of the event, election or
11 referendum. If said signs are not removed prior to the
12 expiration of the forty-eight (48) hour period, the sign
13 shall constitute an abandoned sign and the Town
14 shall remove the sign.
15

16 c. One temporary non-commercial sign is permitted on
17 private property with the owner's permission;
18 however, no temporary non-commercial sign shall
19 exceed one and a half square feet (1.5 sq. ft.) per
20 sign face in area on any private lot or parcel. Signs
21 may not be placed in a location that constitutes a
22 safety hazard or hindrance to pedestrian or vehicular
23 traffic.
24

25 d. If the sign is not placed on private property and is
26 allowed by this chapter to be placed in the public right
27 of way adjacent to the private property, then one
28 temporary non-commercial sign may be placed in the
29 public right-of-way, which, shall not exceed one and a
30 half square feet (1.5 sq. ft). No temporary non-
31 commercial sign shall be placed on any public
32 property (non right-of-way). Signs may not be placed
33 in a location that constitutes a safety hazard or
34 hindrance to pedestrian or vehicular traffic.
35

36 (G3) Permanent signs:
37

38 a. One permanent single-faced or double-faced sign not
39 to exceed ten (10) square feet per face may be
40 permitted. Such sign must be illuminated, but not with
41 intermittent or colored lights or animation. ~~No symbols~~
42 ~~or logos are permitted.~~ The planning board reviews
43 the sign and a permit is then required. A permit fee
44 shall be charged and will be based upon the
45 construction cost of the sign. The sign may be
46 erected on a base not to exceed one foot six (6)

1 inches in height. The base may not exceed the
2 dimensions of the sign by more than one foot in any
3 direction. Any person seeking to place a sign in the
4 FDOT right of way must obtain written FDOT approval
5 prior to permit issuance by the Town.
6

7 b. A street address sign readily visible from the street is
8 required. Installation of this street address sign is a
9 condition for issuing the certificate of occupancy. No
10 permit is required.
11

12 c. In the case of intracoastal property, one additional
13 permanent sign identifying the development may be
14 allowed. This additional sign may also be single-faced
15 or double-faced, not to exceed ten (10) square feet
16 per face. It may be illuminated, but not with
17 intermittent or colored lights or animation. A permit is
18 required.
19

20 ~~d. In the case of motels, a single-faced or double-faced~~
21 ~~pendant, for the purpose of indicating "vacancy" or~~
22 ~~"no vacancy" only, may be attached to a permanent~~
23 ~~motel sign permitted under this section. This pendant~~
24 ~~shall not exceed three (3) square feet per face, nor~~
25 ~~exceed the width of the permanent sign, nor exceed~~
26 ~~six (6) inches in height. No permit is required.~~
27

28 ~~ed. Tow away signs conforming to state statutes are~~
29 ~~allowed on private property. A permit is required. The~~
30 ~~fee is twenty-five dollars (\$25.00) for each sign; limit~~
31 ~~of two (2).~~
32

33 e. Whenever a sign requires a permit and is allowed
34 within a setback area, easement, or right-of-way, the
35 person erecting the sign shall be required to execute
36 an agreement with the Town.
37

38 f. Garishness: The overall effect of the lettering,
39 configuration or color of a sign shall not be garish.
40 "Garish" signs are those that are too bright or gaudy,
41 showy, glaring, and/or cheaply brilliant or involving
42 excessive ornamentation. Garish signs are not in
43 harmony with and are not compatible with the building
44 or adjacent surroundings.
45

1 g. Traffic Safety: No sign shall be located in such a
2 manner that it will become a hazard to automotive or
3 pedestrian traffic nor shall any sign or lighting of a
4 sign be so placed as to obstruct the vision of the
5 driver of any motor vehicle where vision is necessary
6 for safety.

7
8 h. Illumination: Signs may be illuminated directly or
9 indirectly unless specifically prohibited elsewhere in
10 this Chapter. In residential zoning districts, all
11 illumination shall be shielded so that the light is not
12 directed toward adjacent residentially zoned property.

13
14 **Sec. 23-86. Prohibited signs.**

15
16 All other signs not permitted in section 23-75 are prohibited except
17 for signs which are placed on the grounds of town hall and on town sewer
18 lift stations which is located in a Government Service District (GSD) and
19 on any town sewer system lift station. The placement of directional and
20 informational signs on the grounds of town hall may be approved at the
21 discretion of the town manager. The prohibition of signs under this section
22 includes any sign applied or attached to a building or any building part or
23 located other than on the road front or the specified options on the
24 Intracoastal Waterway. It Prohibited signs also includes, but is are not
25 limited to the following; ~~any banner, billboard, outdoor display, plus~~
26 ~~projecting sandwich, sidewalk, snipe and swinging signs.~~

27
28 (a) Banners.

29
30 (b) Wind Signs.

31
32 (c) Off-Premise Signs

33
34 (d) Roof Signs.

35
36 (e) Snipe Signs.

37
38 (f) Traffic Confusion Signs.

39
40 (g) Vehicular Signs.

41
42 (h) Commercial Signs in Public Rights-of-Way.

43
44 (i) Intermittent Lighting, Animation, Moving or Rotating Signs.

45
46 (j) Noise Producing Signs (a sign producing noise or sounds).

1
2 (k) Obscene Signs.

3
4 (l) Smoke or Odor Producing Signs (a sign producing or
5 emitting smoke, vapor, particles, or odor).

6
7 In addition to the foregoing, any sign not provided for, or expressly
8 permitted by this Chapter is also prohibited.

9
10 **Sec. 23-9. Rigid construction.**

11
12 ~~Each sign shall be constructed and anchored to withstand a wind~~
13 ~~pressure in accordance with the building regulation as provided by~~
14 ~~Chapter 6.~~

15
16 **Sec. 23-10. Reinspection of permanent signs.**

17
18 ~~All permanent signs located in the town shall be inspected or~~
19 ~~caused to be inspected by the building official and/or code enforcement~~
20 ~~officer at least once each year, or more often if in his/her opinion such~~
21 ~~inspection may be required; and he/she shall require the owner of any~~
22 ~~sign found to be in a defective condition, or which does not comply with~~
23 ~~the terms, conditions and provisions of this chapter to cause the sign to be~~
24 ~~repaired or removed within thirty (30) days from the date of the written~~
25 ~~notification from the town. However, if it shall be deemed that the public~~
26 ~~safety or welfare may be adversely affected, the subject sign shall be~~
27 ~~immediately removed or corrected at the owner's expense.~~

28
29 **Sec. 23-11. Use of private or public property in advertising.**

30
31 ~~It shall be unlawful for any person to post, paint or place on any~~
32 ~~bridge, lamppost, telegraph, telephone, electric light, signal or other pole,~~
33 ~~post, or tree, or any property, or private or public building, or fence, any~~
34 ~~handbills, posters, signs, pictures or advertisements whatsoever, without~~
35 ~~the prior written consent of the property owner.~~

36
37 **Sec. 23-127. Enforcement and penalties.**

38
39 (a) A permanent sign erected without obtaining a building permit
40 shall be removed within five (5) working days from the date of a written
41 notice from the building department or other person so designated by the
42 town manager. If the sign is not removed by the end of the fifth day, or if
43 there are any other violations of this ordinance, enforcement proceedings
44 will be initiated pursuant to section 2-100, Enforcement Procedure, or the
45 Code Enforcement Board, as set forth in Article V of Chapter 2 of the
46 Code of Ordinances.

1
2 (b) For those signs that do not require a permit and are
3 temporary in nature the Town finds that, in view of the inexpensive nature
4 of these signs and the administrative burden which would be imposed by
5 elaborate procedural prerequisites prior to removal, any procedure other
6 than summary removal of these signs when unlawfully erected and
7 maintained would defeat the purpose of regulating such signs. The Town
8 Manager is hereby authorized to remove such signs when unlawfully
9 erected and maintained, subject to the provisions contained below.

10
11 (1) After removal of a sign pursuant to this section, a notice will
12 be sent, either by hand-delivery or by first-class postage,
13 prepaid, to the occupant of the property from which the sign
14 was removed, and if the sign identifies a party other than the
15 occupant of the property, the party so identified. The notice
16 shall advise that the sign has been removed and shall state
17 that the sign may be retrieved within thirty (30) days of the
18 date of the notice, and that, if the sign is not retrieved within
19 thirty (30) days, it will be disposed of by the Town.

20
21 (2) The Town shall dispose of all unclaimed signs after the
22 expiration of the thirty (30) day period.

23
24 **Sec. 23-138. Appeals.**

25
26 Appeals shall be governed by section 2-1045, Appeals, of the Code
27 Enforcement Board, as set forth in Article V, Chapter 2 of the Code
28 Ordinances. Appeal of a permit application denial shall be to the Circuit
29 Court of Palm Beach County within thirty (30) days of the decision. A
30 permit application may be denied for the following reasons:

31
32 (a) The permit application is not fully completed and executed;

33
34 (b) The applicant has not tendered the required permit fee with
35 the application;

36
37 (c) The application for permit contains a material falsehood or
38 misrepresentation;

39
40 (d) The applicant has not complied or cannot comply with
41 applicable licensure requirements, ordinances or regulations of the Town.

42
43 **Sec. 23-9. Special Event Non-Roadway Banner Signs**

44
45 In accordance with the requirements of this Section, signs may be
46 allowed by the Building Official or his/her designee, for special events if it

1 is determined that the sign type meets the following criteria:

2
3 (a) The sign provides notice to the public of a public meeting or
4 other public event; and

5
6 (b) The sign is temporary and for a limited duration and meets
7 the following criteria:

8
9 (1) The sign will not obstruct adjacent land uses or signs;

10
11 (2) The sign will not conflict with the principal permitted use of
12 the Premises or adjoining Premises;

13
14 (3) The sign will not interfere with, obstruct vision of or distract
15 motorists, bicyclists or pedestrians;

16
17 (4) The sign will be installed and maintained in a safe manner;
18 and

19
20 (5) Each sign does not exceed forty square feet (40 sq.ft.) in
21 area;

22
23 (c) Special signs pursuant to this section are allowed fourteen
24 (14) days prior to the event and must be removed by the second day after
25 the event.

26
27 (d) The approval, or disapproval, of such sign shall not be based
28 on the content of the message contained (i.e., the viewpoint expressed)
29 on such sign. The Building Official or his/her designee shall render a
30 decision within fourteen (14) days after an application is made for utilizing
31 this sign type for a special event. Such a decision shall be deemed an
32 administrative interpretation and any person adversely affected has the
33 right to appeal the decision to the Town Manager.

34
35 **Sec. 23-10. Valet Parking.**

36
37 Valet parking signs may only be used by commercial
38 establishments. They may consist of sandwich/A frame signs not to
39 exceed 24 inches in width and 36 inches in height and shall only include
40 directional content or the word "Valet". No more than 4 sandwich/A frame
41 signs may be used and placement of such signs shall be approved by the
42 building official. Strip signs, which are not permanently affixed to the
43 ground may be used, not to exceed a total of 8, and placed in a manner
44 approved by the Building Official. Strip signs may only include directional
45 content or the word "Valet" and shall not exceed a height of 40", width of
46 12" or a depth of 3".

1
2 **Sec. 23-11. Non-Commercial Message.**
3

4 Notwithstanding anything contained in this Chapter to the contrary,
5 any sign erected pursuant to the provisions of this Chapter may, at the
6 option of the applicant, contain either a non-commercial message
7 unrelated to the business located on the premises where the sign is
8 erected or a commercial message related to the business and located on
9 the business premises. The non-commercial message may occupy the
10 entire sign face or portion thereof. The sign face may be changed from
11 commercial to non-commercial messages as frequently as desired by the
12 owner of the sign, provided that the size and design criteria conform to the
13 applicable portions of this Chapter, the sign is allowed by this Chapter, the
14 sign conforms to the requirements of the zoning designation and the
15 appropriate permits are obtained. Noncommercial copy may be
16 substituted for commercial copy wherever commercial copy appears. For
17 the purposes of this Chapter, non-commercial messages, by their very
18 nature, shall never be deemed off-premises.
19

20 **Sec. 23-12 Severability.**
21

22 If any part, section, subsection, paragraph, subparagraph,
23 sentence, phrase, clause, term, or word of this Chapter is declared
24 unconstitutional by the valid judgment or decree of any court of competent
25 jurisdiction, the declaration of such unconstitutionality shall not affect the
26 following sections of this Chapter: Section 23-5 and Section 23-11.
27

28 **Section 3.** It is the intention of the Town Commission of the Town of Highland Beach
29 that the provisions of this Ordinance shall become and made a part of the Code of
30 Ordinances of the Town of Highland Beach, Florida, and that the Sections of this
31 Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed
32 to "Section", "Article" or other word or phrase in order to accomplish such intention.
33

34 **Section 4.** All Ordinances or parts thereof and Resolutions or parts thereof in conflict
35 herewith are hereby repealed to the extent of such conflict.
36

37 **Section 5.** Should any section, provision, paragraph, sentence, clause or word of this
38 Ordinance or portion thereof be held or declared by any court of competent jurisdiction
39 to be unconstitutional or invalid, in part or application, it shall be considered as
40 eliminated and shall not affect the validity of the remaining portions or application of this
41 Ordinance.
42

43 **Section 6.** This Ordinance shall take effect immediately upon adoption.
44

45 **PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF**
46 **HIGHLAND BEACH ON THIS** 1st **DAY OF** July, 2014.

TOWN OF HIGHLAND BEACH, FLORIDA

ATTEST:

By:

Town Clerk

First Reading

Posted after First Reading

Published

Final Reading

Posted after Final Reading

Bernard Featherman

Bernard Featherman, Mayor

Ron Brown

Ron Brown, Vice Mayor

Dennis J. Sheridan

Dennis J. Sheridan, Commissioner

Louis P. Stern

Louis P. Stern, Commissioner

Carl Feldman

Carl Feldman, Commissioner

APPROVED AS TO FORM AND LEGALITY:

By:

Glen J. Torcivia
Glen J. Torcivia, Town Attorney
Town of Highland Beach, Florida