

42 City to have the least impact on safety and aesthetics when signs are erected consistent with
43 narrowly tailored regulations;

44 **WHEREAS**, the City Council intends that there shall be no content based distinction
45 made as to the speakers or messages included on the park event signs allowed herein; and

46 **WHEREAS**, the City Council finds and determines that this ordinance will lessen
47 hazardous situations, as well as confusion and visual clutter otherwise caused by the
48 proliferation, improper placement, excessive height, excessive size, and distracting
49 characteristics of signs which compete for the attention of pedestrian and vehicular traffic; and

50 **WHEREAS**, the City Council finds and determines that this ordinance will enhance the
51 attractiveness and economic well-being of the City as a place to live, visit, and conduct business;
52 and

53 **WHEREAS**, the Planning and Zoning Commission, acting as the Local Planning
54 Agency, found and determined that this Ordinance is consistent with the City's Comprehensive
55 Plan, and the City Council finds and determines that the following amendments are consistent
56 with all applicable policies of the City's Comprehensive Plan; and

57 **WHEREAS**, the City Council finds and determines that the following amendments will
58 not result in incompatible land uses; and

59 **WHEREAS**, the City Council finds and determines that the regulations contained in this
60 ordinance are concerned with the secondary effects of speech including, but not limited to,
61 aesthetics and traffic safety, and that they are not intended to regulate viewpoints or censor
62 speech, and for those and other reasons that the foregoing provisions are not subject to, or would
63 not fail, a "prior restraint" analysis; and

64 **WHEREAS**, the City Council finds that the contents of this Ordinance broaden
65 opportunities for speech within the community; and

66 **WHEREAS**, the City Council finds and determines that the sign regulations adopted
67 herein are narrowly tailored to serve the compelling interests and still allow adequate alternative
68 means of communications.

69 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**
70 **CITY OF MAITLAND, FLORIDA, AS FOLLOWS:**

71 **SECTION 1.** The findings set forth in the recitals above are hereby adopted as
72 legislative findings of the City Council pertaining to this Ordinance.

73 **SECTION 2.** Chapter 5, Article VI, "Signs," of the City of Maitland Code of
74 Ordinances is hereby amended as follows (NOTE: additions to the Code are identified by
75 underline, deletions from the Code are identified by ~~strikethrough~~ and portions of the Code
76 remaining unchanged that are not reprinted herein are identified by ellipses (***):

77 **ARTICLE VI. SIGNS**

78 * * *

79 **Sec. 5-95. Definitions.**

80 ***

81 Park event sign: a temporary sign posted on public property designated herein by an individual,
82 group or other entity authorized and approved by the City to conduct a special event upon all or a
83 portion of Lake Lily Park.

84 ***

85 **Section 5-122. Standards for temporary signs.**

86 ***

87 C. Park event signs

88 1. Park event signs may be located upon public property, other than right-of-way, located
89 within the park event signage corridors identified in Exhibit "A" provided that such signs comply
90 with all of the following regulations:

91 a. No park event sign shall be located in such a manner as to block or impair
92 vehicular or pedestrian visibility of roads, intersections, parking area entrances or traffic
93 control devices. The City shall have final discretion as to the location of individual signs.

94 b. No park event sign shall utilize artificial lighting of any kind.

95 c. Park event signs shall not exceed seven feet in sign height from grade level at
96 the sign location.

97 d. Park event signs shall be machine-printed on corrugated plastic; provided,
98 however, that blank areas for days, dates and times may be included and covered with
99 machine-printed tape or other material consistent in color with the remainder of the sign.
100 No handwritten components shall be allowed on any park event sign.

101 e. Park event signs shall measure no more than 24 square feet, and shall be
102 affixed to the ground in a manner sufficient, in the opinion of the City, to withstand
103 weather and other conditions.

104 f. No more than four park event signs for any one special event shall be located
105 within the City at any one time. Priority among the issuance of park event sign permits
106 shall be given based solely on the time of completed application submittal. In the event
107 an application is received by the City requesting placement of park event signs that would
108 exceed the maximum total park event signs allowed, the City shall notify the applicant
109 and allow the applicant to amend the number of park event signs, the park event sign
110 location to be used or the dates of installation of the park event signs.

111 g. Park event signs shall not be erected for periods longer than ten consecutive
112 days. Additionally, park event signs shall be erected no earlier than seven days prior to
113 the special event to which the park event sign pertains and shall be removed by 4:00 p.m.
114 on the day following the conclusion of the event or activity to which the park event sign
115 pertains or immediately upon expiration of the park event sign permit, whichever occurs
116 first. The City is authorized to remove any park event sign that is erected in violation of
117 this Section.

118 2. Applications for park event sign permits shall be made in writing upon forms
119 furnished by the City and shall be accompanied by a permit fee as set forth herein. The applicant
120 shall furnish the following information on or with the sign permit application form. City staff has

121 the authority to require additional information on the application form that is not inconsistent
122 with this Article.

123 a. Name, address and telephone number of the person making application for the
124 permit to include the organization seeking the permit.

125 b. The number, type, materials to be used, structural dimensions and sign copy
126 dimensions of each promotion sign to be erected.

127 c. Identification of the park event sign locations upon which signage is to be
128 placed (up to four locations per event).

129 d. A \$25 non-refundable application fee will be required. The City shall be
130 exempt from application fees.

131 e. Signature of applicant.

132 f. A copy of applicant's City-issued permit for rental or use of Lake Lily Park.

133 3. Park event sign permit applications shall be reviewed by the Community Development
134 Director or designee for a determination of whether the proposed sign meets all applicable
135 requirements of this Article.

136 4. The review of the sign permit application shall be completed by the Community
137 Development Director or designee within 10 business days following receipt of a completed
138 application and any applicable fees. A sign permit shall either be approved, approved with
139 conditions (meaning legal conditions existing in this Article such as dimensional requirements),
140 or disapproved, and the decision shall be reduced to writing. A disapproval shall include or be
141 accompanied by a statement of the reason(s) for the disapproval. In the event that no decision is
142 rendered within the period of time referenced herein, the application shall be deemed approved.
143 Any appeal shall be heard and a decision rendered within the time frames specified in this Article
144 for appeals.

145 5. For the purposes of calculating compliance with the 10 business day deadline herein,
146 for a decision upon an application, the decision shall be deemed made when deposited in the
147 mail, transmitted electronically, or hand-delivered to the applicant.

148 6. An application which is materially incomplete or which is not accompanied by the
149 required fee shall not be deemed accepted, and the time for review of the application shall not
150 commence until a complete application, accompanied by the required fee, is filed with the
151 Community Development Director or designee. However, the Community Development Director
152 or designee shall keep a record of incomplete applications or any application not accompanied by
153 the correct fee, as required by applicable public record laws. In addition, the Community
154 Development Director or designee shall, within 10 business days of receipt of such an
155 application, provide the applicant a written explanation of the deficiencies and ask that the
156 deficiencies be remedied, explaining that the application cannot proceed forward and that the
157 application will be deemed withdrawn if the deficiencies are not cured within sixty calendar
158 days.

159 **SECTION 3. SUNSET OF PROVISIONS.** The amendments made herein shall be
160 automatically repealed 12 months after the effective date of this Ordinance unless the City
161 Council, by affirmative majority vote, votes to continue such provisions in effect.

162 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word or portion of
163 this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall
164 not be held to invalidate or impair the validity, force or effect of any other section, sentence,
165 phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
166 unconstitutional.

167
168 **SECTION 5. CONFLICTS.** In any case where a provision of this Ordinance is found
169 to be in conflict with a provision of any other ordinance of this City, the provision which
170 establishes the higher standards for the promotion and protection of the health and safety of the
171 people shall prevail.

172
173 **SECTION 6. CODIFICATION.** It is the intent of the City Council of the City of
174 Maitland that the provisions of this Ordinance shall be codified. The codifier is granted broad
175 and liberal authority in codifying the provisions of this Ordinance.

176
177 **SECTION 7. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon
178 adoption as provided by the Charter of the City of Maitland.

179
180 PASSED ON FIRST READING THIS 12th DAY OF October, 2015.

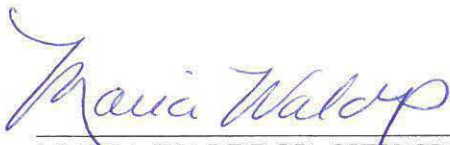
181
182 PASSED AND ADOPTED THIS 26th DAY OF October, 2015.

183
184
185 CITY OF MAITLAND, FLORIDA

186
187
188 By: 

189 A. DALE McDONALD, MAYOR

190
191 Attest:



192 MARIA WALDROP, CITY CLERK
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