

**CITY OF LIGHTHOUSE POINT
FLORIDA**

ORDINANCE NO. 2017- 0954

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, RELATING TO TEMPORARY SIGNS; AMENDING CHAPTER 42, ENTITLED "LAND DEVELOPMENT CODE", ARTICLE V, ENTITLED "SIGNS" TO SECTION 42-486(C) OF THE CITY'S CODE OF ORDINANCES AND AMEND SECTION 42-541 TO CLARIFY THE AUTHORITY OF THE CITY TO REMOVE ILLEGAL SIGNS FROM PUBLIC RIGHT-OF-WAYS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Lighthouse Point believes it to be in the best interest of the City to adopt this Ordinance to clarify that the City's authority to remove illegal signs is limited to public rights-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA THAT:

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.

Section 2. Section 42-486, within Chapter 42, Article V entitled "Signs," is amended to as follows:

Chapter 42 -- LAND DEVELOPMENT CODE

ARTICLE V. -- SIGNS

Sec. 42-486. -- Responsibility for enforcement; removal; notice for repair of illegal or unsafe signs.

- (a) The building official or designated code enforcement officer shall enforce the provisions of this article.
- (b) It shall be unlawful to erect, use or maintain a sign or sign structure when it does not comply with the requirements or exemptions of this article. The city is authorized to remove unlawful signs and sign structures pursuant to the provisions of this section.
- (c) ~~Banner signs, pennants, garage sale signs, portable signs, temporary construction signs, sandwich signs, temporary real estate signs, and snipe signs, which violate any of the~~

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~~provisions of this article, may be summarily removed, by the building official, designated code enforcement officer or any member of the city police department. The owner of the removed sign shall be notified that the sign has been removed and where it can be repossessed. The owner shall pay a charge as provided in Appendix A of this Code to reimburse the city for the pickup and storage time involved in policing the provisions of this section. Any sign not redeemed by the owner after 30 days' notice may, at the option of the city, be disposed of.~~

- (c~~d~~) If the building official shall find any sign to be unsafe, insecure, or not erected, constructed or maintained in accordance with the requirements of this article, he shall give written notice to the owner of the land (if in possession of the property) on which the sign is situated and the person in possession of the premises to whom a local business license has been issued, and such owner and person in possession shall thereupon be required to make such sign safe, secure and of proper construction within ten days of the posting of the notice in the United States mail by the building official.

Section 3. Section 42-541, within Chapter 42, Article V entitled "Signs," is amended to

as follows:

Chapter 42 – LAND DEVELOPMENT CODE

ARTICLE V. – SIGNS

Sec. 42-541. - Signs in right-of-way.

- (a) No sign of any kind shall extend into or above or be anchored or placed in any position in the right-of-way of a city street or sidewalk area or public street or sidewalk (except official city, state and county signs).
- (b) Banner signs, pennants, garage sale signs, portable signs, temporary construction signs, sandwich signs, temporary real estate signs, and snipe signs, which violate any of the provisions of this article, may be summarily removed from rights-of-way, by the building official, designated code enforcement officer, any member of the city police department, or any city employee authorized by the City Administrator. The owner of the removed sign shall be notified that the sign has been removed and where it can be repossessed. The owner shall pay a charge as provided in Appendix A of this Code to reimburse the city for the pickup and storage time involved in policing the provisions of this section. Any sign not redeemed by the owner after 30 days' notice may, at the option of the city, be disposed of.

Section 4. Conflicts. All ordinances or parts of ordinances, resolutions or part of resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

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Section 5. Severability. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 6. Codification. It is the intention of the City Commission of the City of Lighthouse Point that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lighthouse Point, Florida, that the Sections of this ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

Section 7. Effective Date. This ordinance shall take effect immediately upon its passage.

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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, ON THE FIRST READING, THIS 11TH DAY OF OCTOBER, 2017.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, ON THE SECOND AND FINAL READING, THIS 24th DAY OF October, 2017.

BY: Sandy Johnson
Sandy Johnson, Commission President

ATTEST:

Jennifer M. Ols
Jennifer M. Ols, City Clerk



APPROVED AS TO FORM:
[Signature]
Office of the City Attorney

	Yes	No	Absent
Commission President Sandy Johnson	<u>x</u>	_____	_____
Commissioner Vice President Jason D. Joffe	<u>x</u>	_____	_____
Commissioner Michael S. Long	<u>x</u>	_____	_____
Commissioner Earl Maucker	<u>x</u>	_____	_____
Commissioner Kyle Van Buskirk	<u>x</u>	_____	_____

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