

**Ordinance 14-765**

**CITY OF ANNA MARIA**

**AN ORDINANCE OF THE CITY OF ANNA MARIA AMENDING CHAPTER 98, SIGNS, OF THE CODE OF ORDINANCES OF THE CITY OF ANNA MARIA; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO SECTION 98-61, SIGNS, GENERALLY; PROVIDING FOR AMENDMENT TO SECTION 98-62, ON-SITE BUSINESS SIGNS; PROVIDING FOR AMENDMENT TO SECTION 98-7, PROHIBITED SIGNS, PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Anna Maria is authorized to regulate the use of land within its corporate boundaries pursuant to the Florida Constitution, Florida Statutes, and the City of Anna Maria Charter; and

**WHEREAS**, the City of Anna Maria recognizes that regulation of speech is subject to the first amendment of the United States Constitution; and

**WHEREAS**, the City of Anna Maria recognizes that signs are important to the general welfare of the City; and

**WHEREAS**, abuse of and proliferation of signage can create unsightliness and have a negative impact upon the aesthetic views and nature of the City; and

**WHEREAS**, the City of Anna Maria does not desire to prohibit or restrict protected speech in violation of the federal or state constitutions but instead desires to provide protection of the residential and small town nature of the City while respecting the protected speech of its residents and visitors; and

**WHEREAS**, the City Commission finds that certain properties should be exempt from permitting requirements when no more than one sign meeting size requirements is posted per property; and

**WHEREAS**, a person desiring to use a their property for speech has numerous alternative methods of speech and is not limited to the use of a single sign on a selected property; and

**WHEREAS**, the City Commission has held workshops and hearings on this matter and finds that these amendments are in the best interest of the City, its residents, visitors and property owners.

**NOW, THEREFORE**, be it Ordained by the City Commission of the City of Anna Maria, the following:

**Section One. Findings of Fact**

The above “whereas” clauses are deemed findings of fact.

## Section Two. Section 98-61 Signs, General

Section 98-61, Signs, general of the Code of Ordinances of the City of Anna Maria is hereby amended by adding all language shown as underscored and deleting all language shown as strikethrough, so as to read in its entirety as follows:

Sec. 98-61. Signs, generally.

Unless otherwise allowed in this chapter, the following criteria shall govern the placement and size of signs in general:

- (1) No more than one sign shall be placed upon a property or premises. Balloons, streamers, flags, riders, tubes or similar ~~attention-attracting~~ items may not be attached to the sign with the exception for an open house event per subsection 98-7(7)c.
- (2) The maximum size of a sign shall be four square feet (single surface) and the sign body shall be oriented parallel to the street and located no further than ten feet from the main structure on the lot or parcel. The maximum height of the sign shall be three feet from the surrounding grade. Fixed attachments or information boxes are not allowed ~~but such attachments or information boxes are prohibited part of the square-foot size.~~ Persons desiring to install signs in excess of four square feet as provided in this section may apply for sign permits pursuant to section may apply for sign permits pursuant to section 98-62.
- (3) The sign shall be non-moving free-standing, and ~~either~~ securely anchored into the ground with a metal frame ~~or securely attached to a maximum of two four inch by four inch support posts, painted white, with the top of the supporting arm, also painted white.~~ Signs shall not exceed ~~a maximum of five feet from the ground.~~
- (4) Colors shall not be fluorescent ~~day glow or neon type;~~
- (5) All signs in the residential district shall comply with the provisions of Section 98-61 by March 1<sup>st</sup>, 2014.

## Section Three. Section 98-62 On-site business signs

Section 98-62, On-site business signs of the Code of Ordinances of the City of Anna Maria is hereby amended by adding all language shown as underscored and deleting all language shown as strikethrough, so as to read in its entirety as follows:

Sec. 98-62. On-site business signs.

The following specifications shall apply to on-premises signs or on-site signs relating to business operations conducted on the same premises where the signs are located, including without limitation signs erected in C-1 and ROR zoned premises relating to the homes, apartments, cooperative units, condominium units, motel accommodations or other such similar residential uses:

- (5) ~~Each separate legal commercial use is allowed one A-frame sandwich board. Such board shall be not exceed 24 inches in width × 36 inches in height, including the A-frame, shall not impede pedestrian traffic or vehicular site distances, shall be allowed during business hours only and shall be removed during inclement weather. In lieu of an A-frame sandwich board, one A menu board may be erected at or near the main entrance and shall not exceed four square feet in size. may erected by the main entrance or if~~ If the menu board is a free standing sign, the sign shall not exceed five feet in height above the surrounding grade.



**Section Four. Section 98-7 Prohibited signs**

Section 98-7, Prohibited signs of the Code of Ordinances of the City of Anna Maria is hereby amended by adding all language shown as underscored so as to read in its entirety as follows:

Sec. 98-7. Prohibited signs.

The following types of signs are expressly prohibited, except as otherwise provided by this chapter:

(17) A-frame sandwich boards.

**Section Five. Repeal of Ordinances in Conflict.** All Ordinances of the City of Anna Maria in direct conflict with this Ordinance are hereby repealed to the extent of such conflict.


**Section Six. Severability.** Should any portion of this Ordinance be found by a court of competent jurisdiction to be illegal or unconstitutional, then such portion shall be severed and the remaining portions of the Ordinance shall be unaffected thereby.

**Section Seven. Effective Date.** This Ordinance shall be effective upon adoption by the City Commission and approval by the Mayor in accordance with the Charter of the City of Anna Maria.

**PASSED AND ADOPTED**, by the City Commission of the City of Anna Maria, Florida, in regular session

assembled, this 9<sup>th</sup> day of January, 2014.

Carol Carter, Commissioner  
Doug Copeland, Commissioner  
Charles Webb, Commissioner  
Dale Woodland, Commissioner  
Nancy Yetter, Commissioner

  
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Charles Webb, Chairman

I hereby approve this Ordinance:

  
\_\_\_\_\_  
Sue Lynn, Mayor

ATTEST

  
\_\_\_\_\_  
Alice Baird, City Clerk