

## ORDINANCE 2019-10

### AN ORDINANCE OF THE CITY OF MARY ESTHER, FLORIDA, PROVIDING FOR AMENDMENT OF THE LAND DEVELOPMENT CODE ARTICLE 16 SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City is committed to a fair and uniform application of its codes and ordinances;

**WHEREAS**, the City Council of the City of Mary Esther finds and determines that the preambles set forth and adopted in Ordinance 2001-12 are still applicable today, and therefore the City incorporates the same by reference;

**WHEREAS**, the City Council of the City of Mary Esther wishes to ensure that the City's Land Development Code as it relates to signs is in compliance with all constitutional and other legal requirements;

**WHEREAS**, the City Council of the City of Mary Esther finds that some signs, particularly large ones, detract from the aesthetic beauty of the landscape;

**WHEREAS**, the City Council of the City of Mary Esther wishes to preserve the City's aesthetic beauty;

**WHEREAS**, the regulation of signage for purposes of aesthetics has long been recognized as advancing the public welfare;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARY ESTHER, FLORIDA THAT:**

*NOTE: Language contained within this ordinance that is ~~struck through~~ is proposed to be deleted, language which is underlined is proposed to be added, and \*\*\*\* denotes a section or sections of the existing Code that have been omitted and are to remain unchanged.*

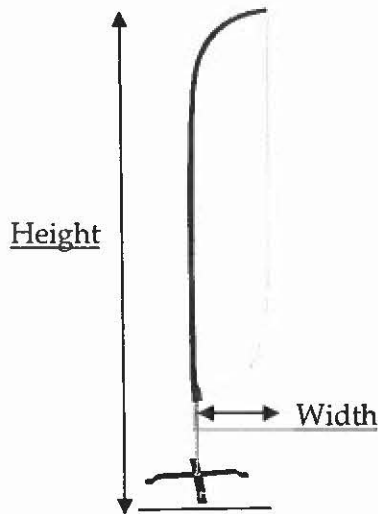
#### **SECTION I - AMENDING**

##### 16.01.00 - DEFINITIONS

Feather Flag means a commercial sign composed of a fabric or vinyl material placed on a pole, generally displayed in a vertical position, properly anchored with a ground stake or base stand.

Wind sign means a sign, which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include banners, pennants, ribbons, spinners, streamers or captive balloons; however, the term wind sign shall not include flags or feather flags.

#### 16.01.01 - ILLUSTRATIONS



Feather Flag

#### 16.05.00 - ALLOWED SIGNS; COMMERCIAL ZONED LOTS

(a) *Permanent signs.* The following permanent signs are allowed and permitted:

(4) Feather flags: Each business within the City's commercial zoning district is allowed one feather flag up to 10 feet in height and 3 feet in width. The height of the sign shall be measured from grade to the top of the sign.

#### 16.14.02 - SIGN PERMIT CONDITIONS

(b) Maintenance of signs.

(1) All visible portions of a sign and its supporting structure shall be maintained in a safe condition and neat appearance according to the following:

(iv) Every sign shall be kept in good to new condition and shall not have missing components, be tattered, faded more than 25%, be damaged, have weathered components or be structurally compromised or unsafe.

### SECTION II - SEVERABILITY

Should any part of this ordinance be declared unconstitutional or void by a court of competent jurisdiction, the remaining parts shall remain in full force and effect.

### SECTION III - CONFLICT

This Ordinance shall prevail over all prior Ordinances or Resolutions or parts thereof in conflict herewith.

**SECTION IV - EFFECTIVE DATE**

This ordinance shall become effective upon adoption according to law.

SO DONE THIS 3<sup>rd</sup> day of JUNE 2019.

By:

  
Margaret McLemore, Mayor

ATTEST:

  
Dana L.S. Williams, CMC  
City Clerk

1<sup>st</sup> Reading: 05/06/19  
Published: 05/20/19  
2<sup>nd</sup> Reading: 06/03/19

