

*CITY OF CLERMONT*  
**ORDINANCE NO. 2011-02-C**

**AN ORDINANCE OF THE CITY OF CLERMONT, FLORIDA RELATED TO CHAPTER 102 "SIGNS", AMENDING SECTION 102-2, "DEFINITIONS"; AMENDING SECTION 102-7, "EXEMPT SIGNS"; AMENDING SECTION 102-8, "PROHIBITED SIGNS, EXEMPTIONS"; AMENDING SECTION 102-18 "TEMPORARY POLITICAL SIGNS"; PROVIDING FOR SEVERABILITY, CONFLICT, CODIFICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Clermont recognizes and finds that the regulation of signs within the City as to time, place and manner is reasonable to ensure the public's right of free speech, to protect the public's health, safety and welfare and to preserve the aesthetics and appearance of the City of Clermont and

**WHEREAS**, the City Council finds that it is in the best interest of the City of Clermont to regulate the placement of commercial, non-commercial and political signs to accomplish the above-stated goals.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Clermont, Florida, as follows:

**SECTION 1.**

Chapter 102, "Signs" is amended to read as follows:

**Section 102-2 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:

*Banner* means a sign having the characters, letters, illustrations or ornamentations applied to cloth, paper or fabric of any kind, with only such material for a backing. The term "banner" shall include any animated, rotating or fluttering devices designed to attract attention.

*Billboard* means any outdoor advertising sign normally erected and maintained by an advertising business or service, upon which advertising matter may be displayed and which generally advertises firms and organizations that, along with their goods and services, are not located on the same premises as the sign, and whose surface is sold, rented or leased for the display of advertising material.

*Canopy* means a structure constructed of rigid materials, including but not limited to metal, wood, concrete, plastic or glass, which is attached to and supported by a building or by columns, poles or braces extended to the ground.

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*Canopy sign* means a sign which is suspended from, is attached to, is supported from or forms a part of a canopy.

*Commercial sign* means a sign which identifies an activity or products or services available on the premises where the sign is located.

*Directional sign* means any sign which serves solely to designate the location or direction of any place or area.

*Double-faced sign* means a sign with two faces which are usually but not necessarily parallel and usually but not necessarily with the same copy.

*Façade* means the entire building wall, including wall face, parapet, fascia, windows and doors.

*Freestanding or ground sign* means any sign which is supported by masonry, wood, metal or similar structure, uprights or braces and is permanently installed in or on the ground on a permanent base and intended to be permanently affixed thereto.

*Frontage* means the linear footage of property abutting a dedicated street or highway as measured along a lot or parcel of land. For businesses in shopping centers it shall be measured along the front face of that portion of the building occupied by the business.

*Ground or monument sign* means a sign that is anchored near or at ground level, which has the vertical structure supports concealed in an enclosed base. The width of such enclosed base shall be equal to at least one-half the horizontal width of the sign surface.

*Human sign* means a temporary sign that is held or worn, by a person for the purpose of advertising, providing information about or promoting a business, commodity, service, product or other commercial activity.

*Illuminated sign* means any sign illuminated internally or from the rear of the sign by silhouette lighting or luminous tubing, or a sign illuminated externally from a light source such as a spotlight or other such light projector.

*Ingress/egress sign* means a sign which designates only the direction of ingress and egress of a parking area or driveway, such as signs reading "In," "Out" or "One-Way."

*Marquee (or canopy)* means a permanent roof-like structure supported and extending from part or all of the building face and that fully or partially covers a sidewalk, public entrance or other pedestrian way, which is constructed of some durable material such as metal, glass or plastic.

*Marquee sign* means a sign attached to or part of a marquee, fixed awning or canopy. Marquee signs shall not extend above the highest point of a marquee.

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*Mural sign* means a sign painted directly on any exterior building wall or door surface, exclusive of window and door glass area.

*Non-Commercial sign* means a sign which contains a message not associated with the products, activity or services available on premises where the sign is located. This includes religious messages, political messages or other expressions of personal views, but does not include political signs as defined below.

*Off-site sign* means a sign identifying, advertising or directing the public to a business, merchandise, service, institution, residential area, entertainment or activity which is located, sold, rented, based, produced, manufactured, furnished or taking place at a location other than on the property on which the sign is located.

*On-site sign* means a sign related in its subject matter to the premises on which it is located.

*Political sign* means a sign or poster advertising either a candidate for public office or a political cause subject to election.

*Projecting sign* means a sign, other than a wall sign, which projects from and is supported by the wall of a building or structure.

*Real estate sign* means a sign erected by the owner or his agent, advertising the real property upon which the sign is located for rent, for lease or for sale.

*Roof sign* means a sign erected over or on, and wholly or partially dependent upon, the roof of any building for support, or attached to the roof in any way.

*Shingle sign* means a projecting sign or wall sign not over four square feet in area, constructed of metal or other durable material, attached securely to a building.

*Shopping center* means a group of four or more retail stores, service establishments or any other businesses, not necessarily owned by one party or by a single land ownership, which are adjacent to and utilizing a common parking area.

*Sign* means any advertising display in the form of any letters, figure, character, mark, plane, point, marquee, design, poster, picture, stroke, stripe, line, trademark, reading matter or device, or any combination of these, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever so that the display is designed or used for the information of persons or the attraction of persons to any place, subject, person, firm, corporation, public performance or merchandise whatsoever, and which is displayed in any manner out-of-doors.

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*Snipe sign* means a sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, power poles, street poles, stakes or fences, or to other objects, and where the advertising matter appearing thereon is not applicable to the object of present use of the premises upon which such sign is located.

*Spectacular sign* means a sign wired for incandescent lighting, luminous tube lighting, or both, animated with copy action controlled by flasher circuit breakers, moving lighting, matographs or similar devices.

*Subdivision entrance sign* means an entrance sign which designates the name of a subdivision or of a residential district and is located at or in close proximity to the main entrance.

*Vehicle/portable sign* means a sign affixed to a vehicle or trailer or designed to be temporarily emplaced without a permanent base or fastening. Temporary tie downs or weighting may be required by the administrative official to meet safety requirements.

*Wall sign* means a sign affixed to or painted on the wall façade of any building that projects less than 18 inches, and where the exposed face of the sign is in a plane parallel to the planes of the wall. Wall signs may not extend above the roofline or façade. All wall signs shall relate to the business conducted on the premises or in the building on which such sign is located.

*Zoning district* and *zoning requirements*, or words of similar import, pertain to the zoning regulations, Chapter 122, for buildings, similar structures and land use in the City.

**Section 102.7**    Exempt signs.

The following signs are exempt from the permit requirements of this chapter, provided they are not placed or constructed so as to create a hazard of any kind. The following signs must still meet applicable construction and electrical standards required by city, state or other appropriate agency codes:

1.     One sign per street frontage, not exceeding six square feet in total area for residential zones and not exceeding 32 square feet in total area for commercial and industrial zones, offering the specific property for sale, rent or lease by the owner or his agent, provided the sign is located on the property offered.
2.     One marquee sign over a show window or door of a store or business establishment announcing only the name of the proprietor and the nature of the business, not exceeding four square feet in area.
3.     One sign painted on the door or show window limited to the name of the proprietor, name or nature of the business, hours of operation and emergency telephone numbers, when all letters and characters are no more than six inches in height.

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4. One ground sign not exceeding two square feet in area and bearing only property numbers, post office box numbers, names of occupants of premises, or other identification of the premises, not having commercial connotations.
5. Directory signs for businesses, limited to two square feet per occupant, affixed to a wall or ground sign.
6. Private ground directional or instructional signs that direct and guide traffic, parking or pedestrian movements on private property provided the individual letters composing such a sign do not exceed six inches in height. Signs may be illuminated and display the name, logos, symbols or designs of the establishment; however, such signs shall not exceed four feet in height and shall not exceed four square feet in area.
7. Memorial signs or tablets, containing names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other noncombustible materials and attached to the surface of a building.
8. Legal notices and official instruments.
9. Signs necessary to promote health, safety and general welfare, and other regulatory, statutory, traffic control or directional signs erected on public property as required by governmental entities with permission as appropriate from the City, the County, the State or the United States federal government.
10. Paper signs displayed inside show windows of retail establishments so long as no part of the display moves or contains flashing lights and the display does not exceed 25 percent of the window area.
11. Bulletin boards and identification signs for public, nonprofit or religious facilities, located on the premises and not exceeding 24 square feet in area.
12. Those banner signs permitted in Section 102-8.
13. Menus of less than two square feet mounted at the entrances to restaurants.
14. The flying of three or less ground-mounted freestanding national, state or city flags; provided that such flags shall not be used in such a manner as to attract attention for commercial purposes.

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15. Decorative flags and bunting for a celebration, convention or commemoration of significance to the entire community when authorized by the City Council for a prescribed period of time.
16. Holiday lights and seasonal decorations displayed at times when such lights and decorations are generally considered appropriate.
17. Sandwich type board signs may be utilized in the CBD zoning district, provided the following is adhered to:
  - (a) One per business and relating directly to that business.
  - (b) Maximum three feet wide and four feet high.
  - (c) Maximum two sides (back-to-back).
  - (d) No sign may block the sidewalk access, in accordance with ADA requirements, by maintaining at least a four-foot wide passage from one property to another using the sidewalk.
  - (e) Sign may not be electrical and must adhere to requirements listed in Section 102-8, prohibited signs; exceptions, unless otherwise indicated herein.
  - (f) Sign placement and use may only occur during open business hours.
  - (g) Sign shall not be permitted within the four-foot area from the inside of the curb toward the business front.
18. Non-commercial signs (other than Political Signs as defined above and as regulated by Section 102-18) provided the following shall apply:
  - (a) Maximum one sign for each street frontage
  - (b) Maximum sign area shall be 32 square feet, except in residential districts where signs shall not exceed six square feet
  - (c) Signs shall require a minimum setback of five feet from a front property line and 25 feet from any side property line
  - (d) Signs shall be a maximum of eight feet in height
  - (e) Signs shall not be illuminated in residential zones
  - (f) Political messages on any permanent sign authorized by other provisions of this Code shall not be restricted or affected by this subsection.

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**Section 102-8** Prohibited signs; exceptions.

It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained any sign described as follows:

1. Commercial or office signs within residentially zoned land. No commercial or office use sign shall be located upon any residentially zoned property, except signs advertising uses allowed outright, by variance, or by conditional use permit approval in that residential zone that conform with the sections of this chapter and other provisions of this Land Development Code relating to that use.
2. Any sign which constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring or method of illumination; or any sign which obstructs vision between pedestrians and vehicles using the public right-of-way, including but not restricted to those not meeting visibility requirements of this Land Development Code.

Specifically prohibited are:

- (a) Signs using rotating or flashing signal lamps similar to those used on emergency vehicles, regardless of location or color.
  - (b) Signs that resemble any official sign or marker erected by any government agency, or that by reason of position, shape or color would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, color or illumination that may be reasonably confused with or construed as, or conceal, a traffic control device.
  - (c) Signs using lights or illuminations that flash, move, rotate, scintillate, blink, flicker or vary in intensity or color.
  - (d) Signs within fifty (50) feet of public rights-of-way or 100 feet of traffic control lights that contain red or green lights that might be confused with traffic control lights.
  - (e) Signs using words and traffic control symbols so as to interfere with, mislead or confuse traffic, such as "stop," "look," "caution," "danger" or "slow."
  - (f) Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.
3. Signs of any description erected or placed in any location where the sign's presence will interfere with clear sight distances of either motor vehicles or pedestrian traffic.

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4. Signs that are in violation of the Florida Building Code or electrical codes adopted by the City.
5. Signs with visible moving, revolving or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, except for traditional barber poles.
6. Signs with the optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion or changing of copy.
7. Signs commonly referred to as wind signs, consisting of one or more pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind.
8. Signs or sign structures that interfere in any manner with free use of any fire escape, emergency exit, standpipe, window, door or opening used as a means of ingress or egress or ventilation or so as to prevent free passage from one part of a roof to any other part thereof.
9. Signs that display any statement, word, character or illustration of an obscene, indecent or immoral nature.
10. Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television or other communication signals.
11. Banner signs, except for the following:
  - (a) Those of temporary a nature which is incidental to a convention or a noncommercial venture and is approved by the administrative official.
  - (b) Residential subdivisions and apartment complexes may display two flag banners at the entrance to the subdivision or complex and one flag banner at each model home or apartment building limited to 16 square feet and to be displayed only during the time the model homes or apartments are open for inspection.
  - (c) Permanent, non-illuminated signs on fabric canopies in place of marquee signs. Banner signs may not be placed across any street or thoroughfare.
12. Banners or signs placed across any street or other public way or premises without first having obtained written approval of the administrative official.
13. Signs having florescent colors.



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14. The following signs or sign features:
  - (a) Bull's-eye, sequential or flashing lights designed to focus attention to a single point.
  - (b) Signs that incorporate projected images or that emit audible sound, odor or visible matter such as smoke or steam that is intended to attract the attention of the general public, or that involve the use of live animals.
  - (c) Handmade, nonprofessional signs other than exempt yard sale signs.
15. Signs in any public right-of-way of the Federal, State, County or City or on public utility poles and trees.
16. Signs on seawalls and retaining walls.
17. Abandoned signs.
18. Roof signs.
19. Off-site signs, except for those expressly permitted in Section 102-16.
20. Handbills, circulars or other similar forms of advertising matter distributed by throwing or placing the advertising matter on or into any vehicle within the City.
21. Signs that are painted or printed on any curbstone, flagstone or pavement, or any portion of any sidewalk or street, except specifically authorized house numbers and traffic control signs.
22. Strings of light bulbs used on nonresidential structures for commercial purposes, other than traditional holiday decorations.
23. Any other signs that are not specifically permitted or exempted by this chapter.
24. Ancillary signage attached to the sign face, frame or support structure of a permitted sign shall be prohibited (i.e., credit cards, copies, cigarettes, etc.), this section shall include the placement of stickers or banners on the sign face, frame or support structure.
25. Human signs that are advertising firms, companies, organizations, or individuals that, along with their goods and services, are not located on the same premises as the human sign.

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**Section 102-18**      Political signs.

Political Signs shall be subject to the following provisions and limitations. Messages, including campaign messages, on any sign authorized by other provisions of this Code shall not be restricted or affected by this section.

1. Political Signs shall not exceed thirty-two (32) square feet of advertising display area, except in residential zoning districts which shall not exceed six (6) square feet.
2. Political Signs may be erected prior to the election to which the Political Signs pertain and shall be removed within seven (7) days after the election. The winning candidate in a primary election may continue to maintain applicable Political Signs until seven (7) days after the general election. If such Signs are not removed within the specified period, the City may remove such signs and may charge the candidate the actual cost for such removal.
3. Political Signs shall be placed on private property only with the consent of the property owners. Political Signs that are placed within the public-right-of-way or on public property are prohibited and shall be removed by the City without notice.
4. Political Signs shall be constructed and placed in a manner that will not harm any person that approaches or touches the Political Sign.

**SECTION 2.**    Severability.

It is declared to be the intent of the City Council that, if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 3.**    Conflict.

Any portion of the Clermont City Code or any Ordinance or part thereof in conflict with this Ordinance is hereby repealed to the extent of such conflict.

**SECTION 4.**    Codification.

The text of Section 1 of this ordinance shall be codified as a part of the Clermont City Code. The codifier is authorized to make editorial changes not effecting the substance of this ordinance by the substitution of "article" for "ordinance", "section" for "paragraph", or otherwise to take such editorial license.

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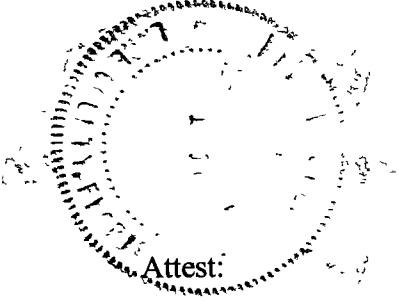
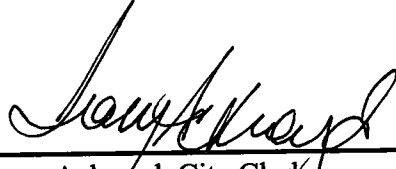
**SECTION 5.**    Effective Date.

This ordinance shall be published as provided by law and shall take effect immediately upon its Second Reading and Final Passage.

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this 26th day of April, 2011.

CITY OF CLERMONT

  
Harold S. Turville, Jr., Mayor

  
  
Tracy Ackroyd, City Clerk