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**NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF
HALLANDALE BEACH, FLORIDA:**

SECTION 1. Chapter 32 Zoning and Land Development Code, Article IV, Development Standards, Division 17, Signs, is hereby amended to read as:

* * *

Sec. 32-601. - Purpose and intent.

(a) ~~It is the~~ purpose of this division is to:

- (1) Promote the proper placement and maintenance of signs within the various zoning districts of the city;
- (2) Promote traffic and pedestrian safety and aesthetics;
- (3) Recognize the identification and communication needs or uses and establishments of various sizes;
- (4) Encourage creative and innovational design techniques; and
- (5) Establish procedures that insist upon equal treatment of all parties involved by regulation of the posting, displaying, erection, use and maintenance of signs.
- (6) Notwithstanding anything contained in this Code to the contrary, any sign erected pursuant to the provisions of this Code or otherwise lawfully existing with a commercial message may, at the option of the owner, contain a noncommercial message in lieu of a commercial message. The noncommercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to noncommercial messages, or from one noncommercial message to another, as frequently as desired by the owner of the sign provided that the sign is not a prohibited sign or sign type and provided that the size, height, setback, and other dimensional criteria contained in this Code have been met.

(b) This division shall regulate all aspects of signage, except building design, official directional signs and traffic signs; ~~message content of signs~~; design of signs; signs within buildings and not externally visible, window displays; point of purchase advertising displays, such as newspaper dispensers and candy machines; and historical site plaques.

(c) This division shall not apply to any sign placed, erected or maintained at any place in the city pursuant to or as permitted or required by any contract entered into by the city with any person. In the case of any sign contract entered into by the city, aside from lewd, indecent or obscene advertisements, no restriction on the content of advertisements shall be placed by the city. However, a sign owner who contracts with the city may in his sole discretion limit the type or content of advertising to be placed on his sign.

(Code 1980, app. A, art. XII, § 1; Ord. No. 2005-15, § 1, 10-3-2005)

Sec. 32-602. - Short title.

This division may be known and shall be cited as the "Sign Code of the City of Hallandale Beach, Florida."

(Code 1980, app. A, art. XII, § 2)

Sec. 32-603. – Severability.

(a) Interpretation; substitution of noncommercial speech for commercial speech. Notwithstanding anything contained in this Division or Code to the contrary, any sign erected pursuant to the provisions of this Division or Code or otherwise lawfully existing with a commercial message may, at the option of the owner, contain a noncommercial message in lieu of a commercial message. The noncommercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to noncommercial messages, or from one noncommercial message to another, as frequently as desired by the owner of the sign, provided that the sign is not a prohibited sign or sign-type and provided that the size, height, setback and other dimensional criteria contained in this Division and Code have been satisfied.

(b) Severability Generally. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division.

(c) Severability where less speech results. Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a), above, or elsewhere in this Division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

(d) Severability of provisions pertaining to prohibited signs and sign elements. Without diminishing or limiting in any way the declaration of severability set forth above in Section 32-603(a) above, or elsewhere in this Division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article that pertains to prohibited signs, including specifically those signs and sign elements that are prohibited by this Division. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 5-1902, thereby ensuring that as many prohibited sign-types as may be constitutionally prohibited continue to be prohibited.

123 e) It is the intent of the City to regulate signage in a manner that implements the
124 purposes of this Division as expressed in this Division. The City finds that the purposes stated
125 in this Division are legitimate, substantial, and compelling public interests, that the regulation of
126 signage provided by this Division is unrelated to the suppression of free expression, and that
127 the incidental restrictions on expression that may occur as a result of these regulations is
128 no more than is essential to the furtherance of the public interests. However, if a court of
129 competent jurisdiction finds any regulation herein to be based upon content and, further,
130 declares such regulation unconstitutional, then it is the intent of the City of Hallandale Beach
131 that only that portion of the provision that is found unconstitutional be severed from this
132 Division, and if it is not possible for the court to strike only the portion of the provision that is
133 found unconstitutional, then it is the intent of the City of Hallandale Beach that all signs that
134 would be subject to the stricken provision will instead be subject to the next surviving
135 provision for a sign of like geometry and character that is more restrictive than the stricken
136 provision in terms of sign area.
137

138 Sec. 32-6034. - Definitions.

139 The following words, terms and phrases, when used in this division, shall have the
140 meanings ascribed to them in this section, except where the context clearly indicates a
141 different meaning:

142 *Advertising structure* means a sign or structure erected or intended for advertising
143 purposes, with or without advertisement display, situated upon or attached to real estate,
144 upon which any poster, bill, printing, painting or device is fastened, affixed or displayed;
145 however, this term shall not include a building.

146 *Animated sign* means a sign which depicts action or motion or which changes
147 color. An animated sign differs from a flashing sign in that it uses movement to create a
148 special effect or scene rather than merely as an attention-getting technique.

149 *Awning sign* means a sign painted, stitched, stamped or otherwise placed on a
150 fabric awning ~~denoting the name of the building, business name or logo and/or street~~
151 ~~number.~~

152 *Balloon* means a temporary special occasion sign of non-rigid fabric material,
153 inflated with air or other means to a point of semi-rigidity for advertising purposes-with or
154 without sign copy.

155 *Banner sign* means a sign made of cloth, fabric, paper, nonrigid plastic or similar
156 types of material.

157 *Billboard* means the same as "off-premises sign."

Bonus Sign means an additional temporary sign permitted during the time period that begins no earlier than sixty (60) days prior to the date of any national, state, or local election, and that ends within five (5) days after such an election.

Changeable message sign means any sign that is capable of changing its message, copy or appearance by electronic processes, and shall include but not be limited to those signs employing changeable message, light-emitting diode technology, commonly referred to as LED signs.

Civic Sign means a sign erected and maintained by the City of Hallandale Beach or the Community Redevelopment Agency.

Commercial advertising sign means any structure, poster board, bulletin board, neon sign, screen, wording, logo, emblem, character, pictograph, trademark, symbol, letters or illustrations affixed thereto, thereon or thereunder, by any method or means whatsoever, where the matter displayed would be used, either directly or indirectly, for the purpose of publicly advertising the legal name of a firm or organization, or the name of the business carried on therein or thereat, or for advertising any service or product actually and actively being offered for sale therein or thereon.

Construction sign means a temporary sign erected on the premises undergoing construction, by an architect, contractor, subcontractor or material supplier upon which property such supplier is furnishing labor or materials. Such sign shall not be erected prior to the issuance of a building permit and shall be removed prior to the issuance of a certificate of occupancy or if the permit becomes void.

Directional sign means:

- (1) A sign erected by an official governmental agency to denote the name of any thoroughfare, to point out the route to any city, educational institution, public building, historic place or hospital; to direct and regulate traffic and to denote any railroad crossing, bridge or other transportation facility for the convenience and safety of the general public.
- (2) An on-premises sign giving directions to an establishment's vehicular use areas, ~~or at entrances or exits thereto which may include only the name, address or logo of the establishment, the words "entrance", "exit" or "parking," and a directional arrow.~~

Director means the city manager or those to whom he has charged the interpretation, administration or enforcement of this division.

Double-faced sign means a sign with two faces.

Electrical sign means a sign or sign structure in which electric wiring, connections or fixtures are used.

192 *Establishment* means a place of business or industrial enterprise with its
193 furnishings and staff.

194 *Facade* means the entire building front, including the parapet.

195 ~~*Flashing sign* means any sign which contains a continually intermittent or~~
196 ~~sequential flashing light source, but not including those which use intermittent lighting~~
197 ~~changes for the purpose of changing message content, such as time, temperature and~~
198 ~~stock average units.~~

199 *Flat sign* means a wall sign erected parallel to and extending not more than 12
200 inches from the wall or facade of any building to which it is attached and supported
201 throughout its entire length by the facade of the building and not extending above the roof
202 of the building.

203 *Freestanding sign* means any sign supported by structures or supports that are
204 placed on or anchored in the ground and that are independent from any building or other
205 structure for support. The term also includes but is not limited to monument signs, pole
206 signs and the like, and any portion of their structure.

207 *Ground sign* means the same as "freestanding sign."

208 *Human sign* means any sign that is worn (including costumes) or held by a human,
209 with or without written message content, for the purpose of advertising or otherwise
210 drawing attention to an establishment, commodity, service or event.

211 *Illuminated sign* means any sign designed to emit artificial light or designed to
212 reflect light from one or more sources of artificial light.

213 ~~*Information sign* means a sign containing information such as office hours, credit~~
214 ~~card accepted, telephone numbers, open/closed, affiliation, etc.~~

215 *LED sign* means the same as "changeable message sign."

216 *Main street* means an abutting public right-of-way which has the greatest vehicular
217 design capacity or current traffic volume relative to all other abutting public rights-of-way.

218 *Maintenance* means the required maintenance of any permitted sign, which
219 maintenance shall include lighting, painting, supporting material required, landscaping or
220 such other matters.

221 *Marquee* means any hood, awning or canopy of permanent construction which
222 projects from the wall face of a building.

223 *Marquee sign* means any sign attached to or supported by a marquee structure.

224 *Monument sign* means a freestanding sign supported by a continuous foundation
225 or structural base flush with the ground under all or a minimum of 75 percent of the sign
226 structure.

227 *Multi-use property* means a parcel of land with a structure or group of structures
228 occupied by more than one establishment.

229 *Mural* means any non-commercial display of mosaic, painting or graphic art
230 technique applied, implanted or placed directly onto a wall. ~~and containing no copy,~~
231 ~~advertising symbols, lettering, trademarks or other illustrative depictions pertaining to the~~
232 ~~nature of the business or products and/or services offered for sale on the premises.~~ A
233 hand-painted work of visual art that is either affixed to or painted directly on the exterior
234 wall of a structure with the permission of the property owner. A mural does not include
235 electrical or mechanical components, or changing image art display

236 *Mural advertising sign* means any mosaic, painting or graphic art technique
237 applied, implanted or placed directly onto a wall which contains copy, advertising symbols,
238 lettering, illustrative depictions pertaining to the nature of the business or to the products
239 and/or services offered on the premises.

240 ~~*Nameplate* means a sign indicating the name, address, profession or occupation~~
241 ~~of an occupant or a group of occupants located on the front of every building, residence~~
242 ~~or structure, or on each side of an authorized US Postal Service mailbox.~~

243 *Noncommercial sign* means a sign containing no message advertising or
244 promoting a product or service

245 ~~*Occupant identification sign* means a sign which pertains only to the use of a~~
246 ~~premises and may contain the name of the tenant, occupant or management of the use;~~
247 ~~and the address of the use.~~

248 *Off-premises sign* means any sign or structure which advertises a commercial use,
249 establishment, product or service that is sold, produced, manufactured or furnished at a
250 place other than on the property on which the sign is located.

251 *Outdoor advertising sign* means the same as "off-premises sign."

252 *Painted wall sign* means a flat sign painted on the outside wall or facade of any
253 building.

254 *Paper sign* means a temporary sign installed in the interior of windows constructed
255 of paper, vinyl or plastic sheets of a thickness of less than 1/32 of an inch.

256 *Parapet* means a false front or wall extending above the roofline. For the purposes
257 of this division, a parapet shall not exceed a height of three feet above the roofline.

258 *Pole sign* means a sign erected upon a pole which is wholly independent of any
259 building for support.

260 ~~*Political sign* means any sign or sign structure used in connection with a local, state~~
261 ~~or national election and/or which promotes, advertises or identifies a political party,~~
262 ~~candidate or issue.~~

263 *Projecting sign* means a sign, other than a wall sign, which extends outward for
264 more than 12 inches from the wall or facade of any building and is affixed to the wall, but
265 does not extend beyond four and one-half feet from the wall.

266 *Real estate sign* means a temporary sign erected by the owner or his agent
267 advertising for sale, rent or lease the real estate upon which the sign is located for a short
268 period of time before and/or after the sale, rental or lease of the real estate upon which
269 the sign is located.

270 *Roof sign* means any sign erected over or on the roof and dependent upon the roof
271 or marquee of any building for support.

272 *Roofline* means the line formed where the topmost edge of a building wall meets
273 the roof, at any point.

274 *Sidewalk or sandwich sign* means a movable sign not secured or permanently
275 attached to the ground.

276 *Sign* means any identification, description, illustration or device which directs
277 attention to a product, service, place, activity, person, institution or business, located on
278 the exterior of the premises or visible from the exterior, or any emblem, painting, banner,
279 pennant, placard or temporary sign designed to advertise, identify or convey information,
280 with the exemption of noncommercial content flags.

281 *Sign area* means as defined in section 32-604(c).

282 *Sign face* means the part of a sign that is or may be used for advertising purposes.

283 ~~*Sign structure* means a sign or structure erected or intended for advertising~~
284 ~~purposes,~~ with or without advertisement display, situated upon or attached to real estate,
285 upon which any poster, bill, printing, painting or device is fastened, affixed or displayed,
286 but not including a building.

287 *Single-use property* means a parcel of land with a structure occupied by one
288 establishment.

289 *Snipe sign* means any sign made of any material, including paper, cardboard,
290 wood and metal, when such sign is tacked, nailed, posted, pasted, glued or otherwise
291 attached to trees, poles, fences or other such objects.

292 *Special-event sign* ~~means a sign displayed for a limited time period for an permitted~~
293 ~~temporary use event. conducted by the applicant which is nationally or regionally~~
294 ~~recognized or is of a civic character. Such signs shall not include signs for political~~
295 ~~campaigns or elections.~~

296 *Temporary sign* means a sign displayed for a limited time period not exceeding 30
297 calendar days ~~which advertises for a limited period of time active construction projects;~~
298 ~~real estate for sale, rental or lease; business grand openings; or other special events.~~

299 *Theater* means a building or part of a building which contains an auditorium having
300 a stage which may be equipped with curtains or permanent stage scenery or mechanical
301 equipment adaptable to the showing of plays, operas, performances, spectacles and
302 similar forms of entertainment, or such building or portion containing an auditorium having
303 a platform, screen and mechanical equipment for the showing of motion pictures.

304 *Use-related informational sign* means a commercial sign pertaining to goods,
305 products, services or facilities which are available on the premises where the sign is
306 located, but which are incidental to the main activities therein, including a credit card
307 insignia.

308 *Vehicular sign* means a sign affixed to a vehicle or trailer for the purpose of
309 advertising. For the purposes of this division, such signs shall only be applicable when the
310 vehicle or trailer is temporarily or permanently located on a parcel for the primary purpose
311 of conveying a business message.

312 *Wall sign* means a sign erected parallel to and extending not more than 12 inches
313 from the wall, facade, mansard or parapet of any building, including flat, painted wall,
314 individual letter, cabinet signs, or LED signs. Marquee signs shall conform to wall sign
315 provisions and shall not extend over the roofline.

316 *Window sign* means any sign, ~~picture, symbol or combination designed to~~
317 ~~communicate information about an activity, business, commodity, event, sale or service,~~
318 that is painted or placed either upon the window panes or glass or inside a window, and
319 is visible from the exterior of the window or glass.

(Code 1980, app. A, art. XII, § 3; Ord. No. 2005-1, § 1, 1-4-2005; Ord. No. 2005-15, § 1, 10-3-2005; Ord. No. 2012-01, § 1, 1-4-2012)

Cross reference— Definitions generally, § 1-2.

Sec. 32-60-45. - General provisions.

(a) *Violation.* It shall be unlawful and deemed a violation of this division for any person to place, erect or maintain or cause to be placed, erected or maintained any sign, sign structure, advertising device or structural alteration except in conformance with the provisions of this division.

(b) *Permit required.* A permit shall be required prior to the erection, construction, installation or structural alteration of any sign within the city except as provided in subsection (g) of this section. Structural alteration shall not include changing removable copy type such as that usually located on theater marquees. All plans and layouts for a sign or sign structure shall be accompanied by an application which shall be filed with the director prior to the issuance of any permit. The application shall describe and set forth the following:

(1) The type of sign or sign structure.

(2) The street address of the property upon which the sign and sign structure is to be located and the proposed location of the sign on that property. In the absence of a street address, a method of location acceptable to the director shall be used.

(3) The square foot area per sign face ~~and message content.~~

(4) The name and address of the person in control or possession of the real property upon which the sign or sign structure is to be located, and in the case of every sign located on vacant property, a statement signed by the owner or person in possession authorizing the placing and maintaining of such sign.

(5) A sketch, blueprint or similar presentation drawn to scale, showing all pertinent structural details and wind pressure requirements of the South Florida Building Code. The seal of a state registered engineer or architect shall be affixed to any sketch, blueprint or similar presentation drawn to scale, for any projecting sign, which, in the judgment of the chief building official, requires such a seal because of its size, weight, location, composition or complexity. Signs containing electrical circuitry shall meet the requirements of the National Electrical Code.

(6) The square foot area of all existing signs on the property upon which the proposed sign is to be located.

(7) With respect to sign structures not attached to the building, a scaled drawing showing all required yard setbacks relating to the property on which the proposed sign is to be located.

(8) The name, address and telephone number of the applicant, and such other pertinent information as may be required by the director.

(c) *Computation of sign area.*

(1) The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more

than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.

a. The height of a sign shall be computed as the distance from the base of the sign structure at normal grade to the top of the highest attached component of the sign structure. Normal grade shall be construed to be the established grade after construction, exclusive of any filling, berming, mounding, or excavating primarily for the purpose of locating or raising the height of the sign. In cases in which the normal grade cannot reasonably be determined from the previous part of this definition, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.

b. If the sign is composed of four or more individual cabinets or modules, the entire area within and enclosed by the exterior perimeter of all cabinets or modules within a single, continuous geometric figure shall be determined as the area of the sign. This shall include all open areas within those cabinet or module perimeters and all space separating the cabinets or modules.

(2) The entire area within a single, continuous perimeter composed of squares, rectangles or other geometric figures which enclose the extreme limits of all sign elements affixed to a wall, including but not limited to cabinet structures, written copy, logos, symbols, illustrations, decorative embellishments and painted backgrounds framing the sign elements, shall be computed as the sign area.

(d) *Sign identification label.* All approved signs shall have affixed and conspicuously displayed in the lower right-hand area a permanent sign identification label which shall state:

(1) Date of permit issuance.

(2) Name of permittee.

(3) Name and address of sign company.

(4) Permit number.

(e) *Prohibited signs.* The following signs or types of signs are prohibited within the city:

(1) Off-premises signs, except as provided in section 32-607.

(2) Bus benches, bus shelters or waste receptacles displaying advertising matter, except as may be specifically permitted by the city commission.

(3) Roof signs.

(4) Sidewalk or sandwich signs.

(5) Portable signs.

(6) Snipe signs.

(7) Banners, pennants, flags, festoons of lights, decorations, and balloons, except as specifically permitted in section 32-607(d).

(8) Signs attached to trees, utility poles, streetlights or the like.

(9) Flashing or animated signs.

(10) Illuminated signs in all single-family or duplex residential zoning districts or any nonshielded illuminated signs within 200 feet of those districts, except for hotels, motels

and roominghouses. Permitted residential nameplates and street address signs may also be illuminated.

(11) Swinging, rotating and moving signs or devices designed to attract attention, including pennants, flags, propellers, discs and the like, whether or not that device has written message content, unless specifically permitted elsewhere in this division.

(12) Vehicular signs, except for those affixed to franchised buses, taxis or commercial vehicles operating during their normal course of business.

(13) Commercial Signs which copy or imitate official signs, or which purport to have official status

(14) Signs projecting into or over any public street right-of-way, including the sidewalk, except as may be allowed by section 32-606(e)(3).

(15) Signs which obstruct or interfere with any door, fire exit, stairway, ladder or opening intended to provide light, air, ingress or egress for any building.

(16) Signs not properly maintained, showing neglect, abandonment, or in a dilapidated or hazardous condition so as to violate the purpose, intent and objectives of this division. The base of judgment for this subsection shall be the specifications as nearly as possible as set out in the Florida Building Code.

(17) 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 by obstructing or detracting from visibility of any official traffic control device by diverting or tending to divert the attention of drivers of moving vehicles from traffic movement on streets, roads, intersections or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians. Flashing or revolving red, green, blue or amber lights shall be prohibited on any sign. Any sign which, by glare or method of illumination, constitutes a hazard to traffic shall be prohibited. No sign may use the term "stop," "look," "drive-in," "danger," or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

(18) Human signs.

(19) Pole signs.

(20) Projecting signs.

(21) Any other sign not specifically permitted within this division.

(f) *Required fees.* Fees shall be required in order to accommodate the administration costs associated with sign permit reviews and site inspections for the installation, erection or placement of any sign. Such fee as established by the city's fee booklet shall accompany the permit application.

(g) *Signs not requiring sign permits or fees.* The following signs or types of signs shall not require sign permits or sign fees except as may be required by the Florida Building Code, but shall be in compliance with all other applicable provisions of this division.

(1) Real estate signs.

(2) Residential nameplates.

(3) Houses of worship and civic signs.

(4) Paper window signs.

(5) Bonus Political signs.

- (6) Construction signs.
- (7) Public convenience signs which identify the location of restrooms, public telephones, exits or the like.
- (8) Public utility signs which identify the location of underground lines, high-voltage areas or the like.
- (9) Flags, for non-commercial purposes.
- (10) Seasonal displays and decorations not advertising a product, service or establishment, or special event.
- (11) Temporary non-illuminated noncommercial signs.
- (h) *Issuance of a permit.* Upon compliance with the provisions of this division and receipt of a completed permit application, and provided that the signs or sign structures do not violate any of the terms, conditions or provisions of any other law or ordinance, the director shall promptly conduct an investigation of the application, the proposed sign, and the subject permit location. The director shall grant or deny a permit for a sign or structure within 30 days from the date a completed application was filed.
- (i) *Special setback provisions.*
- (1) Nothing stated in this section shall be construed to deprive the owner of land lying between the building setback line and the street right-of-way line from using his property for any purpose consistent with zoning regulations. Signs may be erected in setback areas, subject to the applicable provisions of this division and provided that the owners of premises whereon the signs are erected shall remove all signs at their own expense when the applicable street is widened under governmental street-widening programs.
- (2) Freestanding signs existing at the time of the adoption of this division on properties abutting U.S. 1 from SE Second Street on the south to the northern city limits may be located within five feet of the public right-of-way line if the bottom edge of the sign is not less than nine feet from the ground, or within three feet of the public right-of-way line if the bottom edge of the sign is not less than 15 feet from the ground. All poles within this area shall be set back not less than five feet from any public right-of-way line.
- (3) All sign setbacks shall be measured from the nearest point of the sign face or supporting structure, whichever is closest to the right-of-way or centerline.
- (j) *License required.* It shall be unlawful for any person to engage in the business of signs or outdoor advertising or in the business of erecting, altering or maintaining signs or sign structures within the city unless that person has a valid certificate of competency issued by the city or county.
- (k) *Maintenance of signs.*
- (1) Signs or elements of signs which are burnt out, broken, inoperable, or not functioning as intended shall be repaired or removed. Peeling, fading or chipped paint shall be restored, and any structural damage shall be repaired.
- (2) Any damage or deterioration to a sign or supporting element which, in the opinion of the city manager, is hazardous and/or harmful to the public health or safety shall be repaired or the sign or structure replaced. Without limiting this provision, signs shall be considered hazardous if they present an electrical or fire hazard; are unstable; or may injure passersby, motorists or property. If notification that a sign is hazardous and/or harmful is not acted upon within a reasonable time as set out in such notification, the city shall

perform the necessary corrective action or removal and file a lien on the property for all costs associated with this action.

(l) *Exterior lighting.*

(1) The term "exterior lighting" as used in this section shall mean any variety of lighting forming an integral part of a building designed or used as an architectural embellishment. Such lighting shall not be considered to be a sign unless it identifies a business, establishment or activity by name, symbol, figure or lettering. Persons desiring to employ such lighting shall obtain the permit provided in this subsection.

(2) Exterior lighting employing strip neon lighting outlining or illuminating a building or portion of a building shall be permitted only in business and industrially zoned districts.

(3) All exterior lighting shall comply with the maximum permitted intensity and power source shielding standards set out and referred to in section 32-606(f) and shall be mounted and wired as required by the South Florida Building Code and the National Electrical Code.

(4) All bare tubing for exterior lighting employing strip neon shall be mounted no less than eight feet in height from the ground or surface adjacent to the wall or surface for which it is mounted to prevent access to the exposed lighting fixture.

(5) Exterior lighting shall not:

a. Flash, revolve, flutter or be animated;

b. Be in the form of festoons of lights except as may be specifically permitted in section 32-607(d);

c. Project into or over any public street right-of-way, including the sidewalk;

d. Obstruct or interfere with any door, fire exit, stairway, ladder or opening intended to provide light, air, ingress or egress;

e. Violate the purpose, intent and objectives of this chapter or of this division through improper maintenance, abandonment, neglect, or being in a dilapidated or hazardous condition, as determined by reference to the South Florida Building Code and the National Electrical Code;

f. Constitute a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, glare or method of illumination, or by obstructing or detracting from the visibility of any official traffic control device by diverting or tending to divert the attention of drivers of moving vehicles from traffic movement on streets, roads, or intersections of access facilities; or

g. Obstruct the vision of pedestrians.

(6) It shall be unlawful to erect, construct, install or structurally alter exterior lighting without first obtaining a permit pursuant to this subsection. Illumination, ~~including displays of strip neon lighting identifying a business, establishment or activity by name, symbol, figure or lettering~~ meeting any characteristic of a commercial advertising sign, shall be considered a sign; and the person responsible shall comply with all sign permit requirements and regulations and obtain a sign permit but shall not need to obtain the permit required by this subsection. The permit required under this subsection shall be considered by the City Commission according to the following procedure:

a. Applicants shall be required to submit an application containing the names and addresses of the persons in control of possession of the real property upon which

the building is to be outlined or illuminated is located, a sketch, blueprint or similar presentation drawn to scale showing the plan of the proposed installation, the maximum intensity of illumination produced by the lighting, nearness of any residential district, and the name, address and telephone number of the applicant. If the applicant is not the same person as the person in control of possession of the affected real property, the applicant shall provide appropriate proof of authority to proceed with the application as set forth in section 32-966(a)(3). The application shall be accompanied by an application fee as established by resolution.

b. A properly completed application shall be considered by the City Commission, which shall consider:

1. Whether the proposed exterior illumination complies with the maximum permitted intensity standards set out in this division.

Whether there are adequate setbacks and buffering to control adverse effects of light or any nuisances created by the exterior illumination.

3. Whether the proposed exterior illumination will have a substantial detrimental effect on property values in the neighborhood.

4. Whether the proposed exterior illumination would violate any of the standards set out in subsection (l)(5) of this section.

c. The City Commission may consider other factors and require other conditions in granting or denying an application for permits under this subsection when considered necessary to further the intent of this division and the general welfare, including but not limited to limitations on the hours of operation of such exterior illumination.

(Code 1980, app. A, art. XII, § 4; Ord. No. 2005-1, § 1, 1-4-2005; Ord. No. 2005-15, § 1, 10-3-2005; Ord. No. 2012-01, § 1, 1-4-2012)

Sec. 32-6056. - Permitted signs.

(a) *Generally.* No sign of any kind shall be permitted, constructed, erected or maintained within the various zoning use districts of the city except as provided in this section.

(b) *Single-family, two-family districts.* The following signs are permitted in single-family and two-family residential districts, including without being limited to RS-5, RS-6, RS-7 and RD-12 districts:

(1) One nameplate per dwelling unit, which shall not exceed two square feet in sign area.

(2) One ~~subdivision or neighborhood identification~~ monument sign which shall not exceed four feet in height and 32 square feet in sign area and shall be located at the major entrance to a recognized subdivision or neighborhood. Application for such sign shall be made only by a developer or properly constituted homeowner's association, and it shall be the continuing responsibility of the developer or association to maintain that sign in conformity with the requirements of this division.

(3) One temporary non-illuminated real estate sign, which shall not exceed three square feet in sign area or four feet in height.

(4) One temporary non-illuminated construction sign, which shall not exceed 16 square feet in sign area.

577 (5) One wall sign, awning sign, or monument sign, ~~on properties with a main street lot~~
578 ~~frontage of 100 feet or more~~, not to exceed four feet in height, nor 20 square feet in sign
579 area, on properties with a main street lot frontage of 100 feet or more, identifying where
580 ~~permitted principal nonresidential uses, multi-family residential uses or mobile home~~
581 ~~residential uses, are permitted principal uses which shall not exceed 20 square feet in~~
582 ~~sign area.~~ Awning signs shall not exceed ten square feet in total sign area and shall
583 conform to the requirements of section 32-606(h). Such signs on properties which
584 principal uses are identifying churches, synagogues or other houses of worship, may be
585 illuminated if such illumination is not visible from any abutting residential use and is
586 turned off no later than 9:00 p.m. each evening.

587 (6) One monument sign, on properties with a main street lot frontage of 100 feet or more,
588 not to exceed four feet in height or six square feet in sign area identifying townhouse
589 developments of ten units or more.

590 (7) One temporary non-illuminated noncommercial sign per business establishment,
591 residential dwelling unit or vacant property, which shall not exceed twenty (22) inches by
592 twenty-eight (28) inches in size, and shall not be placed on public right-of-way or on
593 property owned or used by the City. Such signs are allowed for a period not to exceed
594 90 days.

595 (8) Bonus signs are permitted pursuant to the regulations and requirements in this division.

596 (c) *Multi-family districts.* The following signs are permitted in multi-family residential districts,
597 including without being limited to RM-18, RM-25 and RM-HD-2 districts:

598 (1) One wall sign or one wall sign and one awning sign ~~identifying on properties with a~~
599 ~~permitted multi-family residential use, which shall not exceed a sign area equal to one~~
600 ~~and one-half feet for each one linear foot of main street building frontage, up to a~~
601 ~~maximum of 100 square feet. Awning signs shall not exceed ten square feet in total sign~~
602 ~~area and shall conform to the requirements of section 32-606(h).~~

603 (2) ~~One subdivision or neighborhood identification~~ monument sign, which shall not exceed
604 six feet in height and 32 square feet in sign area and shall be located at the major
605 entrance to a recognized subdivision or neighborhood. Application for such sign shall be
606 made only by a developer or properly constituted homeowner's association, and it shall
607 be the continuing responsibility of the developer or association to maintain that sign in
608 conformity with the requirements of this division.

609 (3) One monument sign, on properties with a main street lot frontage of 100 feet or more,
610 ~~identifying on properties with the~~ permitted multi-family residential uses, which shall not
611 exceed 32 square feet in sign area or six feet in height, except that properties with a
612 permitted accessory restaurant use having a minimum of 100 seats, shall be permitted
613 an additional eight square feet in sign area to identify the restaurant.

614 (4) One temporary, non-illuminated real estate sign per street frontage, which shall not
615 exceed ten feet in sign area.

616 (5) One temporary, non-illuminated construction sign, which shall not exceed 36 square feet
617 in sign area.

618 (6) One non-illuminated wall, awning, or monument sign, on properties with a main street lot
619 frontage of 100 feet or more, ~~identifying with~~ a permitted principal nonresidential use,
620 which shall not exceed 32 square feet in sign area or six feet in height. Awning signs
621 shall not exceed ten square feet in total sign area and shall conform to the requirements

of subsection 32-606(h). Two directional signs, which shall not exceed three square feet each in sign area.

(7) In the RM-25 multi-family residential district only, permitted accessory commercial establishments having direct customer access from outdoors shall be permitted:

a. Not more than two wall signs per establishment, which shall not exceed an aggregate sign area equal to two square feet for each one linear foot of store frontage, up to a maximum of 50 square feet.

b. Temporary paper signs within show windows, which shall not exceed 25 percent of such open window area.

c. Use-related informational signs ~~Credit card signs, decals or emblems~~, which shall not exceed 24 square inches each or an aggregate area of 96 square inches per establishment.

(8) In the RM-25 multi-family residential district only, permitted accessory restaurant uses with a minimum of 100 seats, shall be permitted:

a. One wall sign per establishment, which shall not exceed a maximum of 20 square feet.

(9) One temporary non-illuminated noncommercial sign per business establishment, residential dwelling unit or vacant property, which shall not exceed twenty (22) inches by twenty-eight (28) inches in size, and shall not be placed on public right-of-way or on property owned or used by the City. Such signs are allowed for a period not to exceed 90 days.

(10) Bonus signs are permitted pursuant to the regulations and requirements in this division.

(d) *All other zoning districts.* The following signs are permitted in all other zoning districts:

(1) a. Any establishment which has direct customer access from outdoors shall be permitted not more than two wall signs per wall face or one wall and one awning sign per establishment, which shall not exceed an aggregate sign area equal to two square feet for each one linear foot of store frontage, up to a maximum of 200 square feet.

b. Awning signs shall not exceed a sign area of more than 50 percent of the allowable total sign area. All wall signs shall also be subject to the provisions of section 32-606(c). Awning signs shall be subject to the provisions of section 32-606(h).

c. Window signs, including one single-color, single-line scrolling LED sign not to exceed two square feet, shall be included in the wall sign area allowed and be subject to wall sign restrictions. The total area of a window sign shall not exceed a total aggregate area equal to 25 percent of the window glass on which it is located.

(2) a. Any establishment or group of establishments with a minimum of 4,000 square feet in gross floor area which has a main street lot frontage of 150 linear feet or more shall be permitted one monument sign not to exceed a sign area of 60 square feet. Such sign or sign structure shall not exceed a height of eight feet. Any establishment with a main street lot frontage of a minimum of 100 feet shall be allowed a monument sign of 32 square feet in sign area. Such sign or sign structure shall not exceed a height of six feet. All monument signs shall be subject to the provisions of section 32-606(d).

b. Freestanding signs, existing prior to the effective date of Ordinance No. 97-14 which do not meet the requirements of section 32-606(d) shall be considered nonconforming and subject to the provisions of sections 32-608(a) and 32-608(b) regarding nonconforming signs.

(3) One directional sign to a vehicular use area per access drive which shall not exceed three square feet in sign area.

(4) One temporary non-illuminated real estate sign per street frontage, which shall not exceed 25 square feet in sign area or six feet in height, and a temporary window sign of three square feet per establishment.

(5) One temporary non-illuminated construction sign per street frontage, which shall not exceed 36 square feet in sign area or six feet in height.

(6) Use-related informational signs ~~Credit card signs, decals or emblems~~, which shall not exceed 24 square inches each or an aggregate area of 96 square inches per establishment. Service stations shall also be permitted one such sign per credit card company per street frontage, which shall not exceed three square feet each in sign area.

(7) One hanging sign per establishment, attached to the bottom of a permanent walkway cover or canopy, which shall not exceed nine square feet in sign area and not be less than seven and one-half feet above any pedestrian walkway.

(8) In addition to the signs permitted in subsection (d)(1)—(8) of this section, service stations shall be permitted:

a. One freestanding price sign per street frontage, which may include LED technology and, which shall not exceed nine square feet in sign area or eight feet in height.

b. One service designation sign per bay, which shall not exceed six square feet each in sign area.

c. Reserved.

d. Signs not permitted are as follows:

1. Tire, oil and other automotive displays placed outside of the building, except as otherwise permitted by section 32-168.

Wooden (combustible) signs.

3. Signs other than gasoline price signs, attached to pumps and lightpoles, except that pumps and pump island setups may have standard name plaques and standard federal regulatory information, as required by law, not to exceed three square feet per sign face.

(9) In addition to the signs permitted in subsection (d)(1)—(8) of this section, each theater may have a sign which shall not exceed five square feet for each one linear foot of main street building frontage, up to a maximum of 200 square feet. This sign shall be of a changeable copy type and may contain only information relative to present or coming attractions.

(10) In addition to the signs permitted in subsection (d)(1)—(8) of this section, shopping centers having common area used for or allocated to pedestrian use, no part of which is used or leased for any private or commercial purpose, shall be permitted directories or guide maps in such area. These signs shall be approved by the director prior to being erected and shall not exceed 15 square feet each in sign area.

- (11) In addition to the signs permitted in subsection (d)(1)—(8) of this section, shopping centers on parcels of land on Hallandale Beach Boulevard or U.S. 1 having more than three acres in area and having a main street lot frontage of 500 linear feet or more shall be permitted one additional monument sign per each right-of-way intersection; however, no such sign shall be closer than 200 feet to another monument sign. Such sign or sign structure shall not exceed six feet in height or 32 square feet in sign area. All such signs shall be subject to the provisions of section 32-606(d).
- (12) In addition to the signs permitted in subsection (d)(1)—(8) of this section, any building of which more than 75 percent of the gross floor area is used for office space and which has three or more offices shall be permitted one building identification wall sign, which shall not exceed one square foot for every one linear foot of main street building frontage, up to a maximum of 200 square feet.
- (13) In addition to the signs permitted in subsection (d)(1)—(8) of this section, each establishment shall be permitted one information sign per entrance, which shall not exceed two square feet in sign area.
- (14) Neon may be used for a permitted sign or as an element of a sign permitted by this subsection.
- (15) The city commission may grant a special waiver to exceed the maximum allowable signage area for murals ~~which contain no copy advertising a specific business, product, or service offered for sale on the premises.~~ Application for a special waiver under this subsection may be considered by the city commission according to the following procedure:
- a. 1. Applicants shall be required to submit an application containing the names and addresses of persons in control or possession of the real property upon which the mural will be located and a drawing or rendering of the proposed design, location, dimensions, colors, and materials. If the applicant is not the same person as the person in control or possession of the affected real property, the applicant shall provide appropriate proof of authority to proceed with the application. The application shall be accompanied by an application fee as established by resolution. The application shall be filed with the city and transmitted to the city commission accompanied by a staff recommendation for approval or denial. Requests for special waivers under this subsection shall be advertised, posted and noticed in conformity with the requirements of section 32-1001.

The intent of this exception is to improve the appearance of buildings in commercial districts through the use of highly visible and tasteful art that is appropriate to the area in which the mural will be located and will improve the appearance of the area.
 - b. Lettering, trademarks, logos, words or illustrative depictions pertaining to the business upon which the mural is located shall be considered a mural advertising sign which is excluded from filing an application for special waiver under this subsection.
- (16) One temporary non-illuminated noncommercial sign per business establishment, residential dwelling unit or vacant property, which shall not exceed twenty (22) inches by twenty-eight (28) inches in size, and shall not be placed on public right-of-way or on property owned or used by the City. Such signs are allowed for a period not to exceed 90 days.

756 (17) Bonus signs are permitted pursuant to the regulations and requirements in this division.

757 (Code 1980, app. A, art. XII, § 5; Ord. No. 2005-15, § 1, 10-3-2005; Ord. No. 2012-01,
758 § 1, 1-4-2012)

759 Sec. 32-606~~7~~. - General requirements.

760 (a) *Additional requirements.* In addition to the requirements set forth in section 32-605 for
761 permitted signs by zoning districts, the requirements in this section shall also be complied
762 with for specific types of signs.

763 (b) *All signs.* All signs shall be:

764 (1) Adequately constructed and securely anchored so as to withstand wind pressure and to
765 fully comply with all the requirements of the Florida Building Code. Signs containing
766 electrical circuitry shall meet the requirements of the National Electrical Code and the
767 Florida Building Code.

768 (2) Used only for the identification or advertising of a tenant or occupant located on the
769 premises or a product or service available on the premises, except as provided in section
770 32-607(a).

771 (c) *Wall signs.*

772 (1) Wall signs:

773 a. Identifying a use or establishment may be located on any wall face of the use or
774 establishment they identify in an amount up to 100 percent of the permitted wall sign
775 area; however, the permitted area of wall signs on any one wall face shall not exceed
776 30 percent of the area of the wall face upon which the wall signs are placed, and no
777 more than two wall signs shall be placed on any one wall face of the establishment
778 they identify.

779 b. Identifying a building as authorized in section 32-605(d)(13) may be located on any
780 wall face of the building it identifies; however, the area of the building identification
781 wall sign shall not exceed 30 percent of the area of the wall face upon which it is
782 placed.

783 c. At single-use properties with at least 200 linear feet of frontage, may utilize LED
784 technology for up to two signs. One LED wall sign shall be permitted per wall face
785 no greater than 25 square feet, subject to the criteria outlined in section 32-606(g).

786 (2) The restrictions on area, number and placement generally applicable to wall signs shall
787 not apply to cartoon figures or similar illustrations without text and without business logos
788 placed on the walls of day care centers, provided that such cartoon figures or similar
789 illustrations shall cover no more than 30 percent of the area of the wall surface upon
790 which they are maintained.

791 (3) Wall signs shall not extend above a height of three feet above the roofline.

792 (d) *Freestanding signs.* Freestanding signs shall be subject to the following:

793 (1) Set back no less than five feet from any property line provided the sign does not violate
794 the following vision clearance requirements:

795 a. Twenty-five-foot triangle at the intersection of two public street rights-of-way.

796 b. Fifteen-foot triangle at the intersection of a public street right-of-way and an
797 alleyway.

c. Ten-foot triangle at the intersection of a public street right-of-way and a driveway.

Sight triangle shall be determined by measuring the specified distance along each right-of-way, alley or driveway and then connecting the ends of such lines with an imaginary line.

(2) Located in a landscaped area surrounding the base of the sign of a minimum two feet in width. The landscaped area required by this subsection shall count towards the landscaping requirements of article IV, division 8 of this chapter.

(3) Shopping centers on Hallandale Beach Blvd. or U.S. 1 having more than three acres and a main street frontage of 500 linear feet may utilize LED technology for one permitted monument sign subject to the criteria outlined in section 32-606(g).

(e) *Freestanding signs*. Freestanding signs in residential zoned districts when permitted by subsections 32-605(b) and (c) of this article:

(1) Temporary signs and bonus ~~political~~ signs which do not violate the vision clearance requirements of subsection 32-606(d)(1)a., and are not located between the sidewalk and roadway, are exempted from this restriction.

(2) Shall not project over any pedestrian walkway or over any vehicular driveway.

(3) Shall not be located over any public street right-of-way, including the sidewalk; except that a real estate, construction or bonus ~~political~~ sign may be located within a right-of-way in a single-family zoning district if it is not placed between the sidewalk and roadway, or if there are no sidewalks, the sign is set back a minimum of ten feet from the road.

(f) *Illuminated signs*. Illuminated signs, including those located in show or display windows, and exterior lighting shall:

(1) Have their power source or connection shielded in UL-approved housing or other acceptable housing permitted by the National Electrical Code.

(2) Not exceed a maximum intensity of illumination for any type of light source of 20 foot candles when measured 20 feet from the source. Intensities of illumination shall be subject to review by the city electrical inspector, who may request a certified lighting engineer's report at the applicant's expense on the actual intensity of the illumination to determine compliance with the maximum permitted levels of intensity set out in this subsection.

(g) *LED signs*. LED signs, where permitted, shall be subject to the following criteria:

(1) Shall not be located on or face any local street.

(2) Only signs advertising the business(es) located on the property where the sign is located shall be permitted. Off-premise advertising shall be prohibited except as permitted in section 32-607(a).

(3) Full color, single color and grayscale LED signs shall be permitted, unless otherwise prohibited.

(4) Messages shall display for a minimum of five seconds. Any change of message shall occur simultaneously on the entire sign face and must change within one second or less.

(5) Blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating, or spotlights are prohibited.

(6) Lights or colored elements creating a continuously moving, shimmering or prismatic effect, or the use of rotating or moving parts in association with such lights or colored elements are prohibited.

(7) Brightness limits shall be set at a maximum of 6500 nits between sunrise and sunset, and at a maximum of 1250 nits between sunset and sunrise, and each sign shall be fitted with a qualified light sensing device to automatically adjust the brightness in accordance with these standards.

(8) Shall contain a default mechanism that freezes the image in one position in the event of malfunction. The sign owner shall respond to a malfunction within one hour of a city notification of the malfunction.

(h) *Awning signs.*

(1) Awning signs shall be maintained in good condition, free from fading or any other condition which renders the signage unreadable, either partially or totally. Additionally, awnings shall be maintained in good condition, free from tears, holes, fading or peeling, inclusive of all supporting structures.

(2) Lettering or other sign copy, except logos, shall not exceed eight inches in height.

~~(3) Sign copy shall be limited to the name of the owner, building, establishment, or plaza and the street number of the building to which the awning is attached.~~

(Code 1980, app. A, art. XII, § 6; Ord. No. 2005-15, § 1, 10-3-2005; Ord. No. 2012-01, § 1, 1-4-2012)

Sec. 32-6078. - Special-use signs.

(a) *Off-premises signs.* Off-premises signs may be permitted by the director, provided that the requested sign is either a pari-mutuel or noncontiguous parking lot sign and meets the following requirements:

(1) Pari-mutuel signs shall:

- a. Only identify a licensed pari-mutuel establishment located within the city.
- b. Only be oriented toward and located not more than 200 feet from Interstate 95.
- c. Not detract from the overall aesthetics of the community.
- d. Be of a directional nature only.
- e. Be limited to one such sign per establishment.
- f. Not exceed 30 feet in height or 200 square feet in sign area.

(2) Parking lot signs shall:

- a. Only be permitted for approved noncontiguous parking lots.
- b. Be limited to one sign per lot, with a height limit of six feet and a size limit of ten square feet.

(b) ~~*Bonus Political signs.*~~

(1) ~~*Bonus Political*~~ signs shall:

- a. Be limited to ~~one~~ three signs ~~per candidate or issue~~ per business establishment, residential dwelling unit or vacant property.
- b. Not be erected prior to 60 calendar days of election.

- 879 c. Be removed within ten calendar days after the election in which the candidate or
880 issue was last on the ballot.
- 881 d. Not be placed upon any tree, utility pole, streetlight, public property, public right-of-
882 way, or abandoned vehicle or machinery, except as may be allowed by section 32-
883 606(e)(3).
- 884 e. Not be placed on vacant property unless the owner or his authorized agent shall
885 have agreed, by execution of an appropriate form of agreement supplied by the city,
886 to permit the placement of not more than ~~one~~ three bonus political signs per
887 ~~candidate or issue~~ on the property and that any sign placed, except as so permitted,
888 shall be subject to removal without notice by the director.
- 889 f. Not exceed 16 square feet each in sign area an overall height of 16 feet.
- 890 g. Be single-faced or double-faced on one sign structure, provided however when two
891 sign faces are part of the same structure such as an "A" or "V" sign, and are not
892 more than 42 inches apart, the sign area shall be computed by the measurement of
893 one of the faces.
- 894 h. Not be placed nearer to a designated polling place than the distance designated in
895 F.S. § 102.031 as the minimum distance from a polling place where political
896 solicitations will be allowed.
- 897 i. Be subject to immediate removal, without notice, by the director for noncompliance
898 with the provisions of this division.
- 899 j Be securely affixed to a vehicle by a magnetic or similar type material which cannot
900 be easily be removed, provided the sign is in compliance with this subsection.

901 (2) Bonding required.

- 902 a. Prior to the posting of election signs, each candidate, campaign chairperson, firm or
903 corporation shall file with the city and provide an address and telephone number at
904 which the candidate, campaign chairperson, firm or corporation wishing to post the
905 sign may be reached during normal business hours concerning any violation of this
906 division or requirements of the city. A refundable cash bond or surety bond payable
907 to the city conditioned upon compliance with the sign regulations permitted in this
908 subsection in an amount of \$200.00 shall be submitted and posted for each
909 candidate or issue to the city clerk prior to erecting any political signs in the city. This
910 amount shall be refunded subject to compliance with regulation as set forth in this
911 subsection except that \$100.00 shall be retained by the city to cover administrative
912 cost. Should the city remove or adjust the sign due to noncompliance with the
913 regulations, the refund amount shall be adjusted in an amount equal to the city's
914 cost of removal of the sign.

- 915 (3) Exemption from bond requirement. Any candidate who has filed a qualifying fee petition
916 pursuant to F.S. § 99.095 or an affidavit pursuant to F.S. § 99.093, shall be exempt from
917 the requirement of posting the bond, provided however, that if the city removes or adjusts
918 the candidate's sign due to noncompliance, the candidate shall be responsible for
919 payment to the city of its cost and expense of removal or adjustment of the sign.

920 (c) *City entry information signs.* City entry information signs:

- 921 (1) May be permitted by the director at or near the city limits on public or private property.
- 922 (2) Shall contain only the names or insignias of service clubs, fraternal organizations,
923 churches or synagogues.

- (3) Shall not exceed an aggregate sign area of 30 square feet, with no single organization having a sign greater than three square feet in sign area.
- (d) *Special-occasion signs, banners, balloons, or decorations.* Special-occasion signs, banners, balloons, or decorations may:
- (1) Be permitted by the director for a specified purpose and period of time.
 - (2) ~~Only be displayed during and up to seven days prior to the recognized holiday, activity, event or grand opening to which they relate.~~ For the purposes of this division, a grand opening shall not exceed 14 days' duration. For the purpose of this subsection, the only activities for which commercial enterprises may qualify for a special-occasion sign, banner or decoration permit shall be grand openings, licensed going out of business sales, established legal holidays, or changes in ownership or management. Noncommercial entities can only qualify for a legitimate, established activity or event directly related to their function or purpose as determined by the director.
 - (3) ~~Be displayed up to 30 days prior to Christmas if such sign, banner or decoration relates directly to the holiday period.~~
 - (4) Be permitted by the director for activities for which a temporary use permit has been issued pursuant to sections 32-701—32-707; provided that, except as set forth in subsection (d)(2) and (3) of this section, they may only be displayed during the specific period of time for which the permit was issued.
 - (5) Be displayed by a business having direct ground floor customer access from outdoors once every six months for a 14 consecutive day period for the purpose of business promotional advertisement; such displays shall not impede pedestrian and or vehicular traffic, obstruct required off-street parking or other businesses, not be located in the public right-of-way, and not be offensive or lewd, depending on city manager or designee approval.
 - (6) The city manager may approve special occasion signage for a period greater than 14 days and more than twice a year for special events or occasions as determined by the city manager.
- (e) *Signs for special events.*
- (1) In addition to signs otherwise permitted by this division, applicants may be permitted the following special-event signs as a part of a temporary use application for the event:
 - a. Balloons no larger than 15 inches in diameter and in groups of no more than five balloons per cluster may be located at the site of the special event. Such clusters shall be placed and distributed so as to be consistent with visual clearance and traffic safety. Placement of such balloons shall occur no earlier than 24 hours prior to the event and shall be removed no later than 24 hours after the termination of such event.
 - b. One single-faced or double-faced freestanding sign of 32 square feet or less per roadway frontage of not less than 1,000 linear feet identifying the event and/or sponsor and located on the roadway frontage of the property where the special event will occur. Placement shall occur no earlier than ten days prior to the event, and the sign must be removed within 48 hours following the termination of the event. If a location on a particular property is not feasible, the city manager may authorize such sign to be placed on the abutting right-of-way in a manner consistent with visual clearance and traffic safety.

c. Freestanding signs no greater than 16 square feet in area identifying the special event, giving directional information and otherwise in compliance with visual clearance and traffic safety, may be permitted to be placed in the roadway median adjacent to the property where the event is taking place. Such signs shall be permitted only during such event.

d. Banner signs advertising a special event and containing information as to the name of the event, its date and sponsors of the event, if applicable, suspended over roadways in sizes approved by the city manager and having height clearances not less than 16½ feet above the crown of the road may be approved by the city manager if consistent with visual clearances and traffic safety. Such signs shall be approved by all regulatory agencies having jurisdiction, including the state department of transportation and the county traffic engineering division-and shall be placed no earlier than 14 days prior to the special event and removed no later than 48 hours after the special event.

(2) Signs for special events shall be subject to immediate removal, without notice, by the director for noncompliance with the provisions of this division.

~~(23)~~ A refundable cash bond or surety bond payable to the city conditioned upon timely removal of the signs permitted in this subsection in an amount equal to the anticipated cost of removal, but not less than \$50.00 per sign applied for, shall be submitted prior to issuance of any permit under this subsection. Applicants shall also provide a certificate of insurance naming the city as an additional insured in an amount calculated to cover reasonably anticipated liability arising out of or in connection with the posting of such signs. A fee shall be charged for issuance of a special-event sign permit.

(f) *Temporary signs.*

(1) Businesses adversely impacted by road construction shall be permitted to erect one temporary portable sign and one banner to direct customers to their place of business. Portable signs:

a. Shall not exceed an aggregate sign area of 16 square feet.

b. May be single faced or double faced on sign structure.

c. May be located off-premises if the temporary sign does not create a safety hazard nor obstruct vehicular or pedestrian traffic. Signs erected in violation of this subsection shall be subject to immediate removal, without notice.

(2) Businesses adversely impacted by construction during exterior renovations or improvements, shall be permitted to erect one temporary banner sign per establishment not to exceed 20 square feet.

(Code 1980, app. A, art. XII, § 7; Ord. No. 2003-03, § 1, 1-21-2003; Ord. No. 2005-1, § 1, 1-4-2005; Ord. No. 2005-15, § 1, 10-3-2005; Ord. No. 2009-19, § 1, 11-4-2009; Ord. No. 2012-01, § 1, 1-4-2012)

Sec. 32-608~~9~~. - Nonconforming signs.

(a) *Determination of nonconformity.*

(1) Every sign or sign structure lawfully in existence and conforming prior to the effective date of this division, which, by virtue of the limitations on the number, height, sign area, size, location, use, design or construction, or structural support contained in this division,

1013 does not conform with this division, shall be considered nonconforming and subject to
 1014 removal as specified in subsection (b) of this section.

1015 (2) Signs or sign structures that have never been lawfully permitted and never were a valid
 1016 nonconforming use shall be subject to immediate removal. All signs or sign structures
 1017 that were erected without a permit but conform to this division must obtain a permit
 1018 immediately and a fine shall be paid in the form of a double permit fee.

1019 (b) *Removal required.* All nonconforming signs or sign structures shall not be structurally altered
 1020 or enlarged unless they are made to conform with all the requirements of this division except
 1021 as provided as follows:

1022 (1) All nonconforming projecting signs shall be removed when the presently advertised
 1023 business ceases to operate.

1024 (2) Existing nonconforming monument signs which have received a sign permit and
 1025 otherwise comply with the provisions of subsection 32-606(d), except for setback, shall
 1026 be allowed to remain.

1027 (3) Nonconforming freestanding signs advertising establishments existing at the time of the
 1028 passage of this section may remain, be repaired, replaced or altered provided that there
 1029 is no increase in nonconformity to the previous sign. Any change of copy to advertise a
 1030 new establishment at single-use properties is subject to the terms of subsection (4)
 1031 below, and such sign at multi-use property must be removed or made conforming if a
 1032 new conforming freestanding sign is erected on the property.

1033 (4) Nonconforming freestanding signs for a single-use property shall be removed when the
 1034 presently advertised business ceases to operate or shall be altered or replaced with a
 1035 freestanding sign which reduces nonconformities. Such sign shall not exceed a height
 1036 of 15 feet or the sign area specified by subsection 32-605(d)(2)a. for the establishment.
 1037 Such sign shall have a pylon base flush with the ground under all or minimum of 50
 1038 percent of the width of the sign structure so as to cover the supporting poles of the sign.
 1039 The sign shall be of materials and design per the city's design guidelines manual and
 1040 acceptable to the city manager. Any person aggrieved by the decision of the city
 1041 manager may appeal to the Ceity Ceommission by filing an administrative appeal within
 1042 15 days after the date of the decision complained of and provide the reasons for appeal.

1043 (5) Nonconforming freestanding signs in the RS-5, RS-6, RS-7, RD-12, RM-18, and RM-25
 1044 zoning districts may be maintained and repaired subject to the terms of subsections
 1045 (c),(d) and (e) below provided h however that such sign must be removed or made
 1046 conforming if a new conforming freestanding sign is erected on the property.
 1047 Replacement signs shall comply with the requirements of this division.

1048 (c) *Natural damage.* Nonconforming signs and sign structures which, to the extent of 50 percent
 1049 or more of their value, are destroyed by wind, deterioration or other damage shall be made
 1050 to conform with all the requirements of this division or be completely removed.

1051 (d) *Nonconforming signs in RM-25 district.* Directional signs or signs identifying a residential
 1052 structure which were existing and legally permitted as of August 21, 1979, located on any lot,
 1053 tract or parcel of land in the RM-25 use district within the city are exempt from the amortization
 1054 provisions of subsection (b) of this section. Signs exempt under this subsection may be
 1055 replaced during the life of the residential structure with which the exempt sign is associated,
 1056 provided that such replacement sign is no greater in square feet than the sign it replaces and
 1057 does not enlarge, increase, expand, extend or intensify the previous sign use. Commercial
 1058 signs ~~Signs having any commercial content~~ or signs which are prohibited under subsection
 1059 32-604(e) are not exempted by this subsection.

- (e) *Conforming, nonconforming signs prohibited on same premises.* No conforming sign or sign structure shall be erected on the same premises with an existing nonconforming sign until the nonconforming sign has been made to conform with all the requirements of this article. Existing nonconforming signs to this provision shall be made to conform within six months from the adoption of this section.

(Code 1980, app. A, art. XII, § 8; Ord. No. 2001-16, § 3, 9-18-01; Ord. No. 2005-15, § 1, 10-3-2005)

Sec. 32-60910. - Administration and enforcement.

- (a) *By city manager.* The requirements of this division shall be administered and enforced by the city manager.
- (b) *The city manager.* The city manager may administratively grant a variance of up to 20 percent pursuant to subsection 32-965(h), provided line of sight and other safety considerations are not compromised. An appeal by an applicant from the city manager's denial of a sign variance shall proceed under subsection 32-965(h)(5).
- (c) *Vacant premises.* All sign copy shall be removed by the owner or lessee or person in control of the premises when the establishment which it advertises ceases to operate.
- (d) *Produced on violations and appeals.*
- (1) If the director shall find that any of the provisions of this division are being violated, he shall give written notice to the person responsible for such violation, or the owner of the premises on which the violation occurs, indicating the nature of the violation and ordering the action necessary to correct it. The director shall order discontinuance, alteration or removal or take any other action necessary to correct violations or ensure compliance with all the provisions of this division.
- (2) Issuance of a permit shall not be construed to be an approval of any violation; and upon discovery of a violation, the director shall order its immediate correction and may stop or prevent the erection of any sign until the correction is completed.
- (3) Any appeal from the decision of the director shall be made to the city commission within 30 days after rendition of a denial. All pertinent information, specific details, both graphic and written, shall be submitted with the appeal for the city commission's consideration or the appeal shall not be considered.
- (e) *Interpretation of applications for permits.* In all applications for permits where a matter of interpretation arises, this division shall be strictly construed against the applicant.
- (f) *Penalties.* A person violating any of the provisions of this division shall upon conviction be punished as provided by law. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under this subsection.
- (g) *Variances.*
- (1) A variance to the terms of this division may be granted by the city commission where, due to special conditions and circumstances which are peculiar to the land, structure or building involved, a literal enforcement of the provisions of this division will result in unnecessary and undue hardships.
- (2) In order to authorize any variances under this subsection, it must be found that the:

- 1101 a. Land, structure or building involved has been adversely affected by a change
1102 resulting from the actions of a public body or public utility, such as but not limited to
1103 road widening or one-way road coupling, or relocation of a utility pole; and
1104 b. Change did not result from the actions of the applicant.
- 1105 (3) Applications for variances under this subsection shall be filed with the director on
1106 prescribed forms and shall include a statement of the applicant's interest in the subject
1107 property. If the applicant is not the owner of record, the written consent of the owner shall
1108 be required.
- 1109 (4) Applications for variances under this subsection shall be accompanied by sufficient data,
1110 such as a site plan or survey and a depiction of the sign and building, so that an
1111 evaluation of the facts and circumstances can be made.
- 1112 (5) There shall be a filing fee for each application for a variance under this subsection. Such
1113 fee is on file in the city clerk's office.
- 1114 (6) The application and a staff report shall be transmitted directly to the city commission.
- 1115 (7) Such variance application shall be advertised, posted and noticed in conformity with the
1116 provisions of section 32-967 respecting variances.
- 1117 (h) *When applications for sign variance not permitted.* Applications for sign variances will not be
1118 considered with respect to signs for which permits have been issued where such signs were
1119 not constructed in conformity with plans and specifications submitted for such permits or
1120 where such signs have been constructed without permits.

1121 *(Code 1980, app. A, art. XII, § 9; Ord. No. 2005-15, § 1, 10-3-2005)*

1122 **Cross reference—** Administration, ch. 2.

1123 Secs. 32-611—32-630. - Reserved.

1124 **SECTION 2. Conflict.** All ordinances or portions of the Code of Ordinances of the City of
1125 Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent
1126 of such conflict.

1127
1128 **SECTION 3. Severability.** Should any provision of this ordinance be declared by a court
1129 of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a
1130 whole, or any part thereof, other than the part declared to be invalid.

1131
1132 **SECTION 4. Codification.** It is the intention of the Mayor and City Commission that the
1133 provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention
1134 the words "ordinance" or "section" may be changed to other appropriate words.

1135
1136 **SECTION 5. Effective date.** This Ordinance shall take effect immediately upon adoption.
1137 PASSED AND APPROVED on 1st reading on May 4, 2016.

1138 PASSED AND ADOPTED on 2nd reading on June 15, 2016.

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1143 SPONSORED BY: CITY ADMINISTRATION

1144

1145 ATTEST:

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1148

1149 MARIO BATAILLE, CMC

1150 CITY CLERK

1151

1152 APPROVED AS TO LEGAL SUFFICIENCY

1153 AND FORM

1154

1155

1156

1157

1158 V. LYNN WHITFIELD

1159 CITY ATTORNEY

JOY F. COOPER

MAYOR