

ORDINANCE NO. 22-4

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 25, ARTICLE II OF THE CITY'S CODE OF ORDINANCES, ENTITLED "SIGNS;" BY SPECIFICALLY AMENDING SECTION 25-26, ENTITLED "WINDOW SIGNS;" ELIMINATING THE PERMIT REQUIREMENT FOR WINDOW SIGNS; AMENDING 25-27, ENTITLED "SIGN PERMIT;" ADDING WINDOW SIGNS TO THE LIST OF EXEMPT SIGNS FROM THE CITY'S PERMIT REQUIREMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Cooper City (the "City") seeks to eliminate the permit requirement for window signs; and

WHEREAS, the City Commission finds that eliminating the permit requirements for window signs will make Cooper City a more business friendly community; and

WHEREAS, in accordance with state law, the City has conducted a public hearing and considered public input; and

WHEREAS, the City Commission finds that amending the City Code to eliminate the permit requirement for window signs in the City is in the best interests of the citizens and residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 2. City Code Amended. That Article II, entitled "Signs," of Chapter 25, entitled "Development Standards," of the City of Cooper City Code of Ordinances is hereby amended by specifically amending Section 25-26, entitled "Window Signs" as follows:

Sec. 25-26. Window signs.

(a) *Generally*

(1) Window signs shall be allowed on nonresidential property in accordance with the requirements of this section. All window signs shall be limited to two (2) colors per location on a clear background, provided, however, that registered, copyrighted trademarks and/or corporate logos are not subject to the color limitations provided herein and may be permitted in their standard color(s). Additionally, standard "Credit Cards Accepted" signs, with images of the various credit cards shall not be limited to the color restrictions of this section.

...

(c) *Permanent signs.*

~~(1) Any person wishing to install, alter, cause to be installed or altered, or has previously been installed without the benefit of a permit, within the municipal limits of the city any permanent window sign, must first obtain a permit from the building department of the city. Provided, however, that lettering for purposes of identification as may be required by this code of Florida law, shall be exempt from permitting requirements. The application fee for a permit for a permanent window sign shall be Twenty Dollars (\$20.00).~~

(12) Permanent window signs shall be comprised of two (2) colors on a clear background per location and shall be painted or affixed directly onto the window surface. The total area of such sign shall not exceed twenty-five percent (25%) of the total window area, or sixty (60) square feet, whichever is less.

(23) Information permitted to be included in such permanent window signs shall be the business name, business address, hours of operation, business telephone number and a description of the nature of the business and/or the services offered by the business, and a registered, copyrighted trademark or corporate logo.

(34) Permanent window signs which have been installed prior to the effective date of this section, (January 14, 2003), shall be brought into compliance with the provisions of this section within one (1) year of such effective date.

(d) *Lighting*

(1) Continuous electric lighting (incandescent, fluorescent or neon) shall be permitted mounted within and attached to the window casements as a border, provided it is absent any logo, graphic or signage.

(2) Such lighting must be of a single color per location.

(3) Only low-intensity lighting, not exceeding 2 foot-candle power as measured from a distance of twenty-five (25) feet from the window wall, shall be utilized.

(4) Continuous and/or intermittent, multi-colored electric lighting shall be permitted during the holiday season (October 15 through January 5). Strobe lighting is not permitted at any time.

(5) Lighting fixtures or chandeliers within the interior of the business, whether or not they contain lettering, graphics, logos, or symbols, are not considered window signs or lighting. (Ord. No. 2003-1-1; § 2, 1-14-2003)

(6) One lit "open" window sign shall be permitted per business establishment, subject to the following:

a. Lettering shall be limited to the word "open" and the sign shall be absent of any other lettering or graphics of any kind except that a continuous single border shall be allowed.

b. Lighting shall be continuous and shall be absent of any flashing or any animation.

c. Lettering shall be limited to a single color of either red, white, or blue. If a continuous single border is used, such border shall be limited to a single color of either red, white, or blue although such single color is not required to be the same single color as the lettering.

d. The background, support and any visible structural component of the sign shall be limited to be clear (colorless), black, or bronze, or a combination thereof.

e. The sign shall be limited to no greater than three (3) square feet in area.

f. The sign shall be turned off and non-illuminated when the location is closed.

g. ~~A building permit shall be required, subject to the provisions for window signage provided in this section, including regulation of window signage area.~~ The color of the lit open window sign shall not be considered in review of the color of other window signage at the location. Any and all requirements of the Florida Building Code, including, but not limited to electrical regulations, shall be satisfied prior to issuance of a building permit.

SECTION 3. City Code Amended. That Article II, entitled "Signs," of Chapter 25, entitled "Development Standards," of the City of Cooper City Code of Ordinances is hereby amended by specifically amending Section 25-27, entitled "Sign Permit" as follows:

Sec. 25-27. Sign permit.

...

(f) *Exempt signs.* The following signs, while covered by the general provisions of this article, shall be exempt from the permit requirements of this section. This exemption specifically in no way waives requirements of sign criteria, structural and/or safety requirements outlined by this article and/or the South Florida building code.

- (1) Community service signs;
- (2) Signs installed under the direction of a federal, state, county and/or municipal agency;
- (3) Temporary window signs;
- (4) Real estate signs;
- (5) Nameplate signs and identification signs when letters for the signs do not exceed six (6) inches in height and when the signs do not exceed two (2) square feet in overall dimensions;
- (6) Signs indicating the availability of accommodations in hotels, motels, etc., when the signs conform with all other provisions of this article and when the signs do not exceed one and one-half (1½) square feet;
- (7) A sign indicating the price of gasoline available, permanently displayed on each pump island, not to exceed three (3) square feet.
- (8) Election signs.
- (9) Free expression signs.
- (10) Window Signs.

SECTION 4. Conflict. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

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

SECTION 6. Codification. It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City, Florida, that the Sections of this ordinance may be

renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

SECTION 7. Effective Date. This Ordinance shall become effective upon passage and adoption.

PASSED AND ADOPTED on First Reading this 20th **day of** March, 2022.

PASSED AND FINAL ADOPTION on Second Reading this 20th **day of** April, 2022.


GREG ROSS
Mayor

ATTEST:


TEDRA ALLEN, CMC

Approved As To Legal Form:


JACOB G. HOROWITZ
City Attorney

ROLL CALL

Mayor Ross
Commissioner Green
Commissioner Meltzer
Commissioner Pulcini
Commissioner Shrouder

yes
yes
yes
yes
yes