

GOLDEN BEACH, FLORIDA  
ORDINANCE NO. 409.95

Revised 09/14/95  
Amended 09/19/95  
Amended 10/17/95

AN ORDINANCE OF THE TOWN COUNCIL OF  
GOLDEN BEACH, FLORIDA; PROVIDING FOR THE  
DISPLAY OF REAL ESTATE SIGNS; PROVIDING FOR  
CONFLICTS; PROVIDING FOR SEVERABILITY;  
PROVIDING INCLUSION IN THE CODE; AND  
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Code currently prohibits the display of "for sale" and "lease option" signs and limits the display of open house signs to Saturdays and Sundays; and

WHEREAS, the Town Council desires to permit the display of such "for sale" signs and "lease option" signs on a limited uniform basis to allow owners to place their property in the market place without the expense of a realtor's listing, a newspaper advertisement or other commercial service;

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Chapter 66 of the Town Code is hereby amended to provide as follows:

"Chapter 66  
ZONING



ARTICLE V. SIGNS  
DIVISION I. GENERALLY

Sec. 66-276. When Permitted.

No signs shall be permitted to be erected, affixed or placed, on public property, marks, streets, alleys, ways, swales; or other locations or structures on private property within the Town, ~~unless displayed in connection with~~ except:

~~(1) An open house in connection with the sale of the property or structure: or~~

(1)(2) Signs in compliance with ~~L~~ legal requirements relating to posting of property.

(2) Real estate signs.

a. For the purpose of this article, a real estate sign is a one or two sided, non illuminated, flat sign that has a white background and black

lettering, which is mounted on a narrow post, located on private property no closer than five feet from the front or side property line, or attached to a building. The sign face shall be no larger than 6" x 9". An open house sign may be added to a real estate sign if one of the two signs is limited to 2" by 6" in area".

b. The lettering on a real estate sign may only provide any or all of the following information:

- "For Sale"
- "Lease Option"
- "By appointment only"
- Telephone number
- "Open House"
- "Saturday"
- "Sunday"
- Hours

c. No logos or commercial advertising may be placed on a real estate sign.

d. Real estate signs may only be displayed on Saturdays and Sundays, any time between the hours of 8:00 a.m. and 5:00 p.m.

e. Real estate signs may only be displayed on a specific property that is for sale or lease option.

(3) House numbers or addresses and names of the occupants property.



~~Sec. 66-278. Advertising sale of structure.~~

~~No for sale sign or announcement shall be permitted in connection with the sale of any property or structure in the Town. One open house sign may be displayed by the property Owner or his other representative between the hours of 1:00 p.m. and 5:00 p.m. on Saturday or Sunday. The sign shall be no larger than 18 inches by 24 inches and may be placed on the walls of the residential structure or on a freestanding sign located no closer than five feet from the front or side property line. No open house sign may be displayed on public property, marks, streets, alleys, ways, swales, or other locations. All open house signs shall be removed no later than 5:00 p.m. on the day of display.~~

Sec. 66-279. Removal of noncomplying signs.

Any sign failing to comply with the provisions of this Code of Ordinances shall be removed by a police officer or code enforcement officer. Telephone notice shall be given to the resident or agent by the town within 3 business days of removal of a real estate sign. Signs removed by the Town shall be held by the town or its agents for a period of 20 days in order to permit the Owners thereof to retrieve them during such period. If such sign is not retrieved by the property owner, the sign shall be deemed abandoned and the proper officials of the Town are authorized to dispose of the ~~signs same in an appropriate manner~~ as abandoned property.

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Sec. 66-281. Number of signs.

Notwithstanding the provisions of this article, the total number of signs (excluding governmental, house, name and numbering displayed on any platted lot) shall not be more than one freestanding real estate sign or and one real estate sign affixed to the building structure itself facing the public right-of-way; and for those houses on the Atlantic Ocean, the Intracoastal Waterway or public canal, one additional real estate sign is permitted facing the waterway. ~~A freestanding structure may display, however, the same information on each side.~~

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Sec. 66-283. Sunsetting of real estate signs.

The exemption for real estate signs contained in Subsection 66-276(2) shall expire on October 17, 1996, unless prior to that date, the subsection is amended or extended.

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Section 66-299. Penalties for Violation.

Violation of the provisions of this article or failure to comply with any of its requirements, shall constitute a violation. Any person who violates this article or fails to comply with any of its requirements shall, upon a finding thereof, be punished as provided in Section 1-16 of the Town Code or are subject to enforcement by the Town Code Enforcement Board. Each day such violation continues shall be considered a separate offense. A second and subsequent offence less than thirty (30) days from an earlier offence shall be punished by a minimum fine of \$75.00."

**Section 2. Conflict** That all ordinances or parts of ordinances, all Town Code sections or parts of Town Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 3. Severability** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Inclusion In The Code.** That it is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the Town of Golden Beach; that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" may be changed to "Section" or other appropriate word.

**Section 5. Effective Date.** That this Ordinance shall become effective immediately upon its adoption on second reading.

PASSED AND ADOPTED on first reading this 19th day of September, 1995.

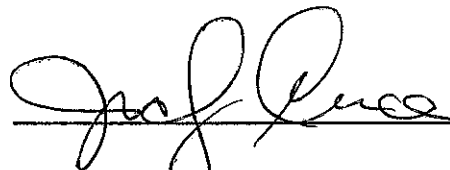
The Motion to adopt the foregoing Ordinance on first reading was offered by Vice Mayor Lowrance, seconded by Councilman Rosenthal and on roll call the following vote ensued:

Mayor Cuenca	Aye
Vice Mayor Lowrance	Aye
Councilman Addicott	Aye
Councilman Fistel	Absent
Councilman Rosenthal	Aye

PASSED AND ADOPTED on second reading this 17th day of October, 1995.

The Motion to adopt the foregoing Ordinance on second reading was offered by Vice Mayor Lowrance, seconded by Councilman Rosenthal and on roll call the following vote ensued:

Mayor Cuenca	Aye
Vice Mayor Lowrance	Aye
Councilman Addicott	Aye
Councilman Fistel	Aye
Councilman Rosenthal	Aye




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MAYOR JUDY CUENCA


ATTEST:




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~~TOWN CLERK~~/DEPUTY TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY




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JON M. HENNING  
TOWN ATTORNEY