

GOLDEN BEACH, FLORIDA
ORDINANCE NO. 424.97

Revised 05/15/97
Amended 05/20/97

AN ORDINANCE OF THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA; AMENDING ARTICLE V (SIGNS) OF CHAPTER 66 (ZONING) OF THE TOWN CODE; PROVIDING FOR THE DISPLAY OF REAL ESTATE SIGNS ON A LIMITED BASIS; 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 real estate marketing signs; and

WHEREAS, the Town Council desires to permit the display of such real estate marketing signs on a limited uniform basis to allow owners to place their property in the market place with or without the services of a realtor, 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

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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, except:

(1) Signs in compliance with 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 no higher than four feet above the ground, located on private property no closer than five feet from the front or side property line, or attached to a building no higher than six feet above the ground. The sign face shall be no larger than 6 inches" x 9 inches". An open house sign may be added to a real estate sign if one of the two signs is limited to two inches by six inches 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

Real Estate Brokerage Firm (if applicable)

By Owner

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

dc. Real estate signs may only be displayed from Saturday 7:00 a.m. through Sunday 7:00 p.m.

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

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

(Editorial Note: Cross Reference Sec. 61J2-10.025 Fla. Admin. Code.)

Sec. 66-277. Permanent display.

Signs to be displayed on a permanent basis such as governmental, traffic control or utility may be displayed at any time to protect the health, safety, and welfare, of the Town. House numbers of house names may be displayed if approved as part of the Construction permitting process.

Sec. 66-278. Reserved.

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 three business days of removal of 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 as abandoned property.

Sec. 66-280. Property Owner's permission.

No sign may be placed on any private property without expressed permission of the property owner.

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 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.

Sec. 66-282. Fees.

The Town Council hereby establishes a fee in such amounts specified by resolution as may be necessary and proper to defray the cost and expense to the Town for personnel necessary to provide for the enforcement of this article, removal of signs, storage thereof, permits, and related expenses to the Town.

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~~ May 31, 1999, unless prior to that date, the subsection is amended for extended.

Sec. 66-284-66-295. Reserved.

DIVISION 2. PERMIT

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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 Each 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 day of 15th, day of April 1997.

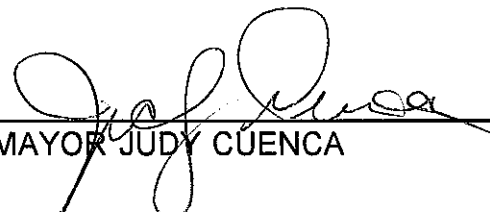
The Motion to adopt the foregoing Ordinance on first reading was offered by Councilwoman Lowrance, seconded by Councilwoman Addicott and on roll call the following vote ensued:

Mayor Cuenca	<u>AYE</u>
Vice Mayor Chikovsky	<u>AYE</u>
Councilwoman Addicott	<u>AYE</u>
Councilman Fistel	<u>AYE</u>
Councilwoman Lowrance	<u>AYE</u>

PASSED AND ADOPTED on second reading this 20th day of May, 1997.

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

Mayor Cuenca	<u>AYE</u>
Vice Mayor Chikovsky	<u>AYE</u>
Councilwoman Addicott	<u>ABSENT</u>
Councilman Fistel	<u>AYE</u>
Councilwoman Lowrance	<u>AYE</u>



MAYOR JUDY CUENCA

ATTEST:



TOWN CLERK PAT MONGIELLO

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



JON M. HENNING
TOWN ATTORNEY