



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** September 9, 2015

**AGENDA ITEM:** Resolution 2015-09-10: Amendment to Sign Ordinance

**CITY GOAL:** Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.

**PREPARED BY:** Anita Geraci-Carver, City Attorney

**DATE:** August 24, 2015

**BACKGROUND:** In July of 2014 Council requested changes to its recently adopted sign code as it related to free speech signs and political signs. A recent U.S. Supreme Court case relating to temporary signs and content of the temporary signs requires revisions to the City's sign code. While staff is revising the sign code it is imperative Council repeal portions of Resolution 2014-07-08 that relate to political signs and free speech signs.

**STAFF RECOMMENDATION:** Motion to Approve Resolution 2015-09-10

**REVIEWED BY CITY MANAGER:**

**COUNCIL ACTION:**

**MOTION BY:**

**SECOND BY:**

*"The city with a future, watch us grow!"*

**RESOLUTION 2015-09-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, REPEALING THOSE PROVISIONS IN CITY OF GROVELAND RESOLUTION RELATING TO FREE SPEECH AND POLITICAL SIGNS; PROVIDING DIRECTIONS TO THE CITY MANAGER; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Groveland adopted a sign ordinance in December 2013; and

**WHEREAS**, in Resolution 2014-07-08 the City of Groveland temporarily amended provisions in the sign code relating in part to free speech signs and political signs; and

**WHEREAS**, a recent U.S. Supreme Court ruling requires those provisions relating to free speech and political signs be repealed;

**WHEREAS**, the City Council of the City of Groveland, Florida, has determined that repealing those provision is in the public's best interest.

**THEREFORE BE IT RESOLVED** by the City Council of the City of Groveland, Florida, as follows:

1. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this resolution.
2. The following provisions contained in Resolution 2014-07-08 are REPEALED in its entirety:

~~**FREE SPEECH SIGN** — That one sign protecting residents' First Amendment right to free speech which expresses any lawful non-commercial message is allowed on a lot with a primary residential use as long as the sign is located on private property, is not in the right-of-way, and is not in the visibility triangle. A free speech sign must not exceed four (4) square feet, and must not be higher than five (5) feet above grade.~~

~~**POLITICAL SIGNS** — Political signs, as defined in Section 141-1 in Chapter II, of the Code of Ordinances, City of Groveland, Florida, are permitted in all zoning districts subject to the following limitations:~~

- ~~(a) — Before such signs are erected, the candidate or political action committee placing the political sign, or their representatives, shall pay a cash bond of \$50.00 per candidate or issue and register a permanent address and phone number with the city clerk. Such bond shall be returned to the candidate or political action committee after the signs are removed.~~
- ~~(b) — Political signs may not be erected sooner than 60 days prior to the election and must be removed within seven days after the final election in issue.~~

- ~~(e) Political signs do not have to meet yard setbacks except that no sign may be placed within a right-of-way.~~
- ~~(d) Political signs may not exceed five feet in height in any residential or mixed-use district and four square feet in area.~~
- ~~(e) Political signs may not exceed ten feet in height in all other zoning districts or a total of 16 square feet in area.~~
- ~~(f) Only one stationary sign per candidate or referendum issue shall be allowed on any given lot.~~
- ~~(g) Political signs may not be affixed to any tree, utility pole, or traffic control sign.~~

3. This resolution shall be effective immediately upon adoption.

ADOPTED at a regular meeting of the City Council of the City of Groveland, Florida, this 9th day of September, 2015.

\_\_\_\_\_  
Tim Loucks, Mayor

ATTEST:

\_\_\_\_\_  
Teresa Begley, City Clerk



Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

First Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
John Griffin		
Tim Loucks		
James Smith		
Dina Sweatt		
Evelyn Wilson		