

1 EXHIBIT 1

2 ORDINANCE 2016 -

3 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF  
4 THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING  
5 CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE;  
6 ARTICLE IV, DEVELOPMENT STANDARDS; DIVISION 17,  
7 "SIGNS"; AMENDING DEFINITIONS AND REGULATIONS;  
8 PROVIDING FOR CONFLICT; PROVIDING FOR  
9 SEVERABILITY; PROVIDING FOR CODIFICATION; AND  
10 PROVIDING AN EFFECTIVE DATE.  
11  
12

13 WHEREAS, the purpose of the sign regulations is to create the framework for a  
14 comprehensive and balanced system of sign control, thereby facilitating clear and attractive  
15 communication between people and their environment, to control those signs which are intended  
16 to communicate to the off premises general public, and to authorize the use of signs which: 1)  
17 enhance the visual environment of the City both day and night, 2) integrate with their  
18 surroundings, 3) are high quality in their design, lighting and construction, 4) are legible under the  
19 circumstances in which they are seen, 5) are conducive to promoting traffic safety by preventing  
20 visual distraction and providing clear direction, 6) effectively and efficiently communicate in a  
21 simple, straightforward and attractive manner; and  
22

23 WHEREAS, on June 18, 2015, in *Reed v. Town of Gilbert, AZ et al.*, 135 S. Ct. 2218, the  
24 United States Supreme Court decided that provisions of the Town of Gilbert, Arizona's sign code  
25 were not content neutral and therefore unconstitutional; and  
26

27 WHEREAS, receipt of the Supreme Court's ruling in the Reed case, the City  
28 Administration and City Attorney's office determined that a thorough review of the City's sign  
29 ordinance was necessary to ensure compliance with the requirements of the U.S. Constitution;  
30 and  
31

32 WHEREAS, pursuant to Section 2-231 of the City's Code of Ordinances, the proposed  
33 amendments to the sign code ordinance was presented to the Planning and Zoning Board on  
34 March 1, 2016 and the Planning and Zoning Board recommended \_\_\_\_\_; and  
35



76 obscene advertisements, no restriction on the content of advertisements shall be placed by  
77 the city. However, a sign owner who contracts with the city may in his sole discretion limit the  
78 type or content of advertising to be placed on his sign.

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

80 Sec. 32-602. - Short title.

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

83 *(Code 1980, app. A, art. XII, § 2)*

84 Sec. 32-603. – Severability.

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

95  
96 (b) Severability Generally. If any part, section, subsection, paragraph, subparagraph,  
97 sentence, phrase, clause, term, or word of this Division is declared unconstitutional by the valid  
98 judgment or decree of any court of competent jurisdiction, the declaration of such  
99 unconstitutionality shall not affect any other part, section, subsection, paragraph,  
100 subparagraph, sentence, phrase, clause, term, or word of this Division.

101  
102 (c) Severability where less speech results. Without diminishing or limiting in any way the  
103 declaration of severability set forth above in subsection (a), above, or elsewhere in this Division,  
104 this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph,  
105 sentence, phrase, clause, term, or word of this Division is declared unconstitutional by the valid  
106 judgment or decree of any court of competent jurisdiction, the declaration of such  
107 unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph,  
108 sentence, phrase, clause, term, or word of this Article, even if such severability would result in a  
109 situation where there would be less speech, whether by subjecting previously exempt signs to  
110 permitting or otherwise.

111  
112 (d) Severability of provisions pertaining to prohibited signs and sign elements. Without  
113 diminishing or limiting in any way the declaration of severability set forth above in Section  
114 32-603(a) above, or elsewhere in this Division, this Code, or any adopting ordinance, if  
115 any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or  
116 word of this Division is declared unconstitutional by the valid judgment or decree of any court of  
117 competent jurisdiction, the declaration of such unconstitutionality shall not affect any other  
118 part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word  
119 of this Article that pertains to prohibited signs, including specifically those signs and sign  
120 elements that are prohibited by this Division. Furthermore, if any part, section, subsection,  
121 paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division is declared  
122 unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the

123 declaration of such unconstitutionality shall not affect any other subsection, paragraph,  
124 subparagraph, sentence, phrase, clause, term, or word of Section 5-1902, thereby ensuring  
125 that as many prohibited sign-types as may be constitutionally prohibited continue to be  
126 prohibited.

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

142

143 Sec. 32-6034. - Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

184 *Directional sign* means:

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

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

194 *Double-faced sign* means a sign with two faces.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

248 *Noncommercial sign* means a sign containing no message advertising or  
249 promoting a product or service

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

301            *Temporary sign* means a sign displayed for a limited time period ~~which advertises~~  
302 ~~for a limited period of time active construction projects; real estate for sale, rental or lease;~~  
303 ~~business grand openings; or other special events.~~

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

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

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

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

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

325            (*Code 1980, app. A, art. XII, § 3; Ord. No. 2005-1, § 1, 1-4-2005; Ord. No. 2005-15, §*  
326 *1, 10-3-2005; Ord. No. 2012-01, § 1, 1-4-2012*)

327 **Cross reference**— Definitions generally, § 1-2.

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

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

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

339 (1) The type of sign or sign structure.

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

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

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

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

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

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

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

362 (c) *Computation of sign area*.

363 (1) The sign area for a sign with more than one face shall be computed by adding together  
364 the area of all sign faces visible from any one point. When two identical sign faces are  
365 placed back to back, so that both faces cannot be viewed from any point at the same  
366 time, and when such sign faces are part of the same sign structure and are not more  
367 than 42 inches apart, the sign area shall be computed by the measurement of one of the  
368 faces.

369 a. The height of a sign shall be computed as the distance from the base of the sign  
370 structure at normal grade to the top of the highest attached component of the sign

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

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

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

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

- 391 (1) Date of permit issuance.
- 392 (2) Name of permittee.
- 393 (3) Name and address of sign company.
- 394 (4) Permit number.

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

- 396 (1) Off-premises signs, except as provided in section 32-607.
- 397 (2) Bus benches, bus shelters or waste receptacles displaying advertising matter, except as  
398 may be specifically permitted by the city commission.
- 399 (3) Roof signs.
- 400 (4) Sidewalk or sandwich signs.
- 401 (5) Portable signs.
- 402 (6) Snipe signs.
- 403 (7) Banners, pennants, flags, festoons of lights, decorations, and balloons, except as  
404 specifically permitted in section 32-607(d).
- 405 (8) Signs attached to trees, utility poles, streetlights or the like.
- 406 (9) Flashing or animated signs.
- 407 (10) Illuminated signs in all single-family or duplex residential zoning districts or any  
408 nonshielded illuminated signs within 200 feet of those districts, except for hotels, motels  
409 and roominghouses. Permitted residential nameplates and street address signs may  
410 also be illuminated.

- 411 (11) Swinging, rotating and moving signs or devices designed to attract attention, including  
412 pennants, flags, propellers, discs and the like, whether or not that device has written  
413 message content, unless specifically permitted elsewhere in this division.
- 414 (12) Vehicular signs, except for those affixed to franchised buses, taxis or commercial  
415 vehicles operating during their normal course of business.
- 416 (13) ~~Commercial~~ Signs which copy or imitate official signs, or which purport to have official  
417 status
- 418 (14) Signs projecting into or over any public street right-of-way, including the sidewalk, except  
419 as may be allowed by section 32-606(e)(3).
- 420 (15) Signs which obstruct or interfere with any door, fire exit, stairway, ladder or opening  
421 intended to provide light, air, ingress or egress for any building.
- 422 (16) Signs not properly maintained, showing neglect, abandonment, or in a dilapidated or  
423 hazardous condition so as to violate the purpose, intent and objectives of this division.  
424 The base of judgment for this subsection shall be the specifications as nearly as possible  
425 as set out in the Florida Building Code.
- 426 (17) Any sign which constitutes a traffic hazard or a detriment to traffic safety by reason of its  
427 size, location, movement, content, coloring or method of illumination, or by obstructing  
428 or detracting from visibility of any official traffic control device by diverting or tending to  
429 divert the attention of drivers of moving vehicles from traffic movement on streets, roads,  
430 intersections or access facilities. No sign shall be erected so that it obstructs the vision  
431 of pedestrians. Flashing or revolving red, green, blue or amber lights shall be prohibited  
432 on any sign. Any sign which, by glare or method of illumination, constitutes a hazard to  
433 traffic shall be prohibited. No sign may use the term "stop," "look," "drive-in," "danger,"  
434 or any other word, phrase, symbol or character in such manner as to interfere with,  
435 mislead or confuse traffic.
- 436 (18) Human signs.
- 437 (19) Pole signs.
- 438 (20) Projecting signs.
- 439 (21) Any other sign not specifically permitted within this division.
- 440 (f) *Required fees.* Fees shall be required in order to accommodate the administration costs  
441 associated with sign permit reviews and site inspections for the installation, erection or  
442 placement of any sign. Such fee as established by the city's fee booklet shall accompany the  
443 permit application.
- 444 (g) *Signs not requiring sign permits or fees.* The following signs or types of signs shall not require  
445 sign permits or sign fees except as may be required by the Florida Building Code, but shall  
446 be in compliance with all other applicable provisions of this division.
- 447 (1) Real estate signs.
- 448 (2) Residential nameplates.
- 449 (3) Houses of worship and civic signs.
- 450 (4) Paper window signs.
- 451 (5) ~~Bonus~~ Political signs.
- 452 (6) Construction signs.

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

- 498 (l) *Exterior lighting.*
- 499 (1) The term "exterior lighting" as used in this section shall mean any variety of lighting  
500 forming an integral part of a building designed or used as an architectural embellishment.  
501 Such lighting shall not be considered to be a sign unless it identifies a business,  
502 establishment or activity by name, symbol, figure or lettering. Persons desiring to employ  
503 such lighting shall obtain the permit provided in this subsection.
- 504 (2) Exterior lighting employing strip neon lighting outlining or illuminating a building or portion  
505 of a building shall be permitted only in business and industrially zoned districts.
- 506 (3) All exterior lighting shall comply with the maximum permitted intensity and power source  
507 shielding standards set out and referred to in section 32-606(f) and shall be mounted  
508 and wired as required by the South Florida Building Code and the National Electrical  
509 Code.
- 510 (4) All bare tubing for exterior lighting employing strip neon shall be mounted no less than  
511 eight feet in height from the ground or surface adjacent to the wall or surface for which it  
512 is mounted to prevent access to the exposed lighting fixture.
- 513 (5) Exterior lighting shall not:
- 514 a. Flash, revolve, flutter or be animated;
- 515 b. Be in the form of festoons of lights except as may be specifically permitted in section  
516 32-607(d);
- 517 c. Project into or over any public street right-of-way, including the sidewalk;
- 518 d. Obstruct or interfere with any door, fire exit, stairway, ladder or opening intended to  
519 provide light, air, ingress or egress;
- 520 e. Violate the purpose, intent and objectives of this chapter or of this division through  
521 improper maintenance, abandonment, neglect, or being in a dilapidated or  
522 hazardous condition, as determined by reference to the South Florida Building Code  
523 and the National Electrical Code;
- 524 f. Constitute a traffic hazard or a detriment to traffic safety by reason of its size,  
525 location, movement, content, coloring, glare or method of illumination, or by  
526 obstructing or detracting from the visibility of any official traffic control device by  
527 diverting or tending to divert the attention of drivers of moving vehicles from traffic  
528 movement on streets, roads, or intersections of access facilities; or
- 529 g. Obstruct the vision of pedestrians.
- 530 (6) It shall be unlawful to erect, construct, install or structurally alter exterior lighting without  
531 first obtaining a permit pursuant to this subsection. Illumination, including displays of strip  
532 neon lighting identifying a business, establishment or activity by name, symbol, figure or  
533 lettering meeting any characteristic of a commercial advertising sign, shall be considered  
534 a sign; and the person responsible shall comply with all sign permit requirements and  
535 regulations and obtain a sign permit but shall not need to obtain the permit required by  
536 this subsection. The permit required under this subsection shall be considered by the  
537 City Commission according to the following procedure:
- 538 a. Applicants shall be required to submit an application containing the names and  
539 addresses of the persons in control of possession of the real property upon which  
540 the building is to be outlined or illuminated is located, a sketch, blueprint or similar  
541 presentation drawn to scale showing the plan of the proposed installation, the  
542 maximum intensity of illumination produced by the lighting, nearness of any

543 residential district, and the name, address and telephone number of the applicant.  
544 If the applicant is not the same person as the person in control of possession of the  
545 affected real property, the applicant shall provide appropriate proof of authority to  
546 proceed with the application as set forth in section 32-966(a)(3). The application  
547 shall be accompanied by an application fee as established by resolution.

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

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

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

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

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

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

563 *(Code 1980, app. A, art. XII, § 4; Ord. No. 2005-1, § 1, 1-4-2005; Ord. No. 2005-15, §*  
564 *1, 10-3-2005; Ord. No. 2012-01, § 1, 1-4-2012)*

565 Sec. 32-605~~6~~. - Permitted signs.

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

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

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

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

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

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

582 (5) One wall sign, awning sign, or monument sign, ~~on properties with a main street lot~~  
583 ~~frontage of 100 feet or more,~~ not to exceed four feet in height, nor 20 square feet in sign  
584 area, on properties with a main street lot frontage of 100 feet or more, identifying where  
585 permitted principal nonresidential uses, multi-family residential uses or mobile home  
586 residential uses, are permitted principal uses ~~which shall not exceed 20 square feet in~~

587 ~~sign area.~~ Awning signs shall not exceed ten square feet in total sign area and shall  
588 conform to the requirements of section 32-606(h). Such signs on properties which  
589 principal uses are identifying churches, synagogues or other houses of worship, may be  
590 illuminated if such illumination is not visible from any abutting residential use and is  
591 turned off no later than 9:00 p.m. each evening.

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

595 (7) One temporary non-illuminated noncommercial sign per business establishment,  
596 residential dwelling unit or vacant property, which shall not exceed twenty (22) inches by  
597 twenty-eight (28) inches in size, and shall not be placed on public right-of-way or on  
598 property owned or used by the City. Such signs are allowed for a period not to exceed  
599 90 days.

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

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

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

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

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

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

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

623 (6) One non-illuminated wall, awning, or monument sign, on properties with a main street lot  
624 frontage of 100 feet or more, identifying with a permitted principal nonresidential use,  
625 which shall not exceed 32 square feet in sign area or six feet in height. Awning signs  
626 shall not exceed ten square feet in total sign area and shall conform to the requirements  
627 of subsection 32-606(h). Two directional signs, which shall not exceed three square feet  
628 each in sign area.

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

- 631 a. Not more than two wall signs per establishment, which shall not exceed an  
632 aggregate sign area equal to two square feet for each one linear foot of store  
633 frontage, up to a maximum of 50 square feet.
- 634 b. Temporary paper signs within show windows, which shall not exceed 25 percent of  
635 such open window area.
- 636 c. Use-related informational signs ~~Credit card signs, decals or emblems~~, which shall  
637 not exceed 24 square inches each or an aggregate area of 96 square inches per  
638 establishment.
- 639 (8) In the RM-25 multi-family residential district only, permitted accessory restaurant uses  
640 with a minimum of 100 seats, shall be permitted:
- 641 a. One wall sign per establishment, which shall not exceed a maximum of 20 square  
642 feet.
- 643 (9) One temporary non-illuminated noncommercial sign per business establishment,  
644 residential dwelling unit or vacant property, which shall not exceed twenty (22) inches  
645 by twenty-eight (28) inches in size, and shall not be placed on public right-of-way or on  
646 property owned or used by the City. Such signs are allowed for a period not to exceed  
647 90 days.
- 648 (10) Bonus signs are permitted pursuant to the regulations and requirements in this division.
- 649
- 650 (d) *All other zoning districts.* The following signs are permitted in all other zoning districts:
- 651 (1) a. Any establishment which has direct customer access from outdoors shall be  
652 permitted not more than two wall signs per wall face or one wall and one awning  
653 sign per establishment, which shall not exceed an aggregate sign area equal to two  
654 square feet for each one linear foot of store frontage, up to a maximum of 200 square  
655 feet.
- 656 b. Awning signs shall not exceed a sign area of more than 50 percent of the allowable  
657 total sign area. All wall signs shall also be subject to the provisions of section 32-  
658 606(c). Awning signs shall be subject to the provisions of section 32-606(h).
- 659 c. Window signs, including one single-color, single-line scrolling LED sign not to  
660 exceed two square feet, shall be included in the wall sign area allowed and be  
661 subject to wall sign restrictions. The total area of a window sign shall not exceed a  
662 total aggregate area equal to 25 percent of the window glass on which it is located.
- 663 (2) a. Any establishment or group of establishments with a minimum of 4,000 square feet  
664 in gross floor area which has a main street lot frontage of 150 linear feet or more  
665 shall be permitted one monument sign not to exceed a sign area of 60 square feet.  
666 Such sign or sign structure shall not exceed a height of eight feet. Any establishment  
667 with a main street lot frontage of a minimum of 100 feet shall be allowed a monument  
668 sign of 32 square feet in sign area. Such sign or sign structure shall not exceed a  
669 height of six feet. All monument signs shall be subject to the provisions of section  
670 32-606(d).
- 671 b. Freestanding signs, existing prior to the effective date of Ordinance No. 97-14 which  
672 do not meet the requirements of section 32-606(d) shall be considered  
673 nonconforming and subject to the provisions of sections 32-608(a) and 32-608(b)  
674 regarding nonconforming signs.

- 675 (3) One directional sign to a vehicular use area per access drive which shall not exceed  
676 three square feet in sign area.
- 677 (4) One temporary non-illuminated real estate sign per street frontage, which shall not  
678 exceed 25 square feet in sign area or six feet in height, and a temporary window sign of  
679 three square feet per establishment.
- 680 (5) One temporary non-illuminated construction sign per street frontage, which shall not  
681 exceed 36 square feet in sign area or six feet in height.
- 682 (6) Use-related informational signs ~~Credit card signs, decals or emblems~~, which shall not  
683 exceed 24 square inches each or an aggregate area of 96 square inches per  
684 establishment. Service stations shall also be permitted one such sign per credit card  
685 company per street frontage, which shall not exceed three square feet each in sign area.
- 686 (7) One hanging sign per establishment, attached to the bottom of a permanent walkway  
687 cover or canopy, which shall not exceed nine square feet in sign area and not be less  
688 than seven and one-half feet above any pedestrian walkway.
- 689 (8) In addition to the signs permitted in subsection (d)(1)—(8) of this section, service stations  
690 shall be permitted:
- 691 a. One freestanding price sign per street frontage, which may include LED technology  
692 and, which shall not exceed nine square feet in sign area or eight feet in height.
- 693 b. One service designation sign per bay, which shall not exceed six square feet each  
694 in sign area.
- 695 c. Reserved.
- 696 d. Signs not permitted are as follows:
- 697 1. Tire, oil and other automotive displays placed outside of the building, except as  
698 otherwise permitted by section 32-168.
- 699 2. Wooden (combustible) signs.
- 700 3. Signs other than gasoline price signs, attached to pumps and lightpoles, except  
701 that pumps and pump island setups may have standard name plaques and  
702 standard federal regulatory information, as required by law, not to exceed three  
703 square feet per sign face.
- 704 (9) In addition to the signs permitted in subsection (d)(1)—(8) of this section, each theater  
705 may have a sign which shall not exceed five square feet for each one linear foot of main  
706 street building frontage, up to a maximum of 200 square feet. This sign shall be of a  
707 changeable copy type and may contain only information relative to present or coming  
708 attractions.
- 709 (10) In addition to the signs permitted in subsection (d)(1)—(8) of this section, shopping  
710 centers having common area used for or allocated to pedestrian use, no part of which is  
711 used or leased for any private or commercial purpose, shall be permitted directories or  
712 guide maps in such area. These signs shall be approved by the director prior to being  
713 erected and shall not exceed 15 square feet each in sign area.
- 714 (11) In addition to the signs permitted in subsection (d)(1)—(8) of this section, shopping  
715 centers on parcels of land on Hallandale Beach Boulevard or U.S. 1 having more than  
716 three acres in area and having a main street lot frontage of 500 linear feet or more shall  
717 be permitted one additional monument sign per each right-of-way intersection; however,  
718 no such sign shall be closer than 200 feet to another monument sign. Such sign or sign

719 structure shall not exceed six feet in height or 32 square feet in sign area. All such signs  
720 shall be subject to the provisions of section 32-606(d).

721 (12) In addition to the signs permitted in subsection (d)(1)—(8) of this section, any building of  
722 which more than 75 percent of the gross floor area is used for office space and which  
723 has three or more offices shall be permitted one building identification wall sign, which  
724 shall not exceed one square foot for every one linear foot of main street building frontage,  
725 up to a maximum of 200 square feet.

726 (13) In addition to the signs permitted in subsection (d)(1)—(8) of this section, each  
727 establishment shall be permitted one information sign per entrance, which shall not  
728 exceed two square feet in sign area.

729 (14) Neon may be used for a permitted sign or as an element of a sign permitted by this  
730 subsection.

731 (15) The city commission may grant a special waiver to exceed the maximum allowable  
732 signage area for murals ~~which contain no copy advertising a specific business, product,  
733 or service offered for sale on the premises~~. Application for a special waiver under this  
734 subsection may be considered by the city commission according to the following  
735 procedure:

736 a. 1. Applicants shall be required to submit an application containing the names and  
737 addresses of persons in control or possession of the real property upon which  
738 the mural will be located and a drawing or rendering of the proposed design,  
739 location, dimensions, colors, and materials. If the applicant is not the same  
740 person as the person in control or possession of the affected real property, the  
741 applicant shall provide appropriate proof of authority to proceed with the  
742 application. The application shall be accompanied by an application fee as  
743 established by resolution. The application shall be filed with the city and  
744 transmitted to the city commission accompanied by a staff recommendation for  
745 approval or denial. Requests for special waivers under this subsection shall be  
746 advertised, posted and noticed in conformity with the requirements of section  
747 32-1001.

748 2. The intent of this exception is to improve the appearance of buildings in  
749 commercial districts through the use of highly visible and tasteful art that is  
750 appropriate to the area in which the mural will be located and will improve the  
751 appearance of the area.

752 b. Lettering, trademarks, logos, words or illustrative depictions pertaining to the  
753 business upon which the mural is located shall be considered a mural advertising  
754 sign which is excluded from filing an application for special waiver under this  
755 subsection.

756 (16) One temporary non-illuminated noncommercial sign per business establishment,  
757 residential dwelling unit or vacant property, which shall not exceed twenty (22) inches  
758 by twenty-eight (28) inches in size, and shall not be placed on public right-of-way or on  
759 property owned or used by the City. Such signs are allowed for a period not to exceed  
760 90 days.

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

762 *(Code 1980, app. A, art. XII, § 5; Ord. No. 2005-15, § 1, 10-3-2005; Ord. No. 2012-01,*  
763 *§ 1, 1-4-2012)*

764 Sec. 32-6067. - General requirements.

- 765 (a) *Additional requirements.* In addition to the requirements set forth in section 32-605 for  
766 permitted signs by zoning districts, the requirements in this section shall also be complied  
767 with for specific types of signs.
- 768 (b) *All signs.* All signs shall be:
- 769 (1) Adequately constructed and securely anchored so as to withstand wind pressure and to  
770 fully comply with all the requirements of the Florida Building Code. Signs containing  
771 electrical circuitry shall meet the requirements of the National Electrical Code and the  
772 Florida Building Code.
- 773 (2) Used only for the identification or advertising of a tenant or occupant located on the  
774 premises or a product or service available on the premises, except as provided in section  
775 32-607(a).
- 776 (c) *Wall signs.*
- 777 (1) Wall signs:
- 778 a. Identifying a use or establishment may be located on any wall face of the use or  
779 establishment they identify in an amount up to 100 percent of the permitted wall sign  
780 area; however, the permitted area of wall signs on any one wall face shall not exceed  
781 30 percent of the area of the wall face upon which the wall signs are placed, and no  
782 more than two wall signs shall be placed on any one wall face of the establishment  
783 they identify.
- 784 b. Identifying a building as authorized in section 32-605(d)(13) may be located on any  
785 wall face of the building it identifies; however, the area of the building identification  
786 wall sign shall not exceed 30 percent of the area of the wall face upon which it is  
787 placed.
- 788 c. At single-use properties with at least 200 linear feet of frontage, may utilize LED  
789 technology for up to two signs. One LED wall sign shall be permitted per wall face  
790 no greater than 25 square feet, subject to the criteria outlined in section 32-606(g).
- 791 (2) The restrictions on area, number and placement generally applicable to wall signs shall  
792 not apply to cartoon figures or similar illustrations without text and without business logos  
793 placed on the walls of day care centers, provided that such cartoon figures or similar  
794 illustrations shall cover no more than 30 percent of the area of the wall surface upon  
795 which they are maintained.
- 796 (3) Wall signs shall not extend above a height of three feet above the roofline.
- 797 (d) *Freestanding signs.* Freestanding signs shall be subject to the following:
- 798 (1) Set back no less than five feet from any property line provided the sign does not violate  
799 the following vision clearance requirements:
- 800 a. Twenty-five-foot triangle at the intersection of two public street rights-of-way.
- 801 b. Fifteen-foot triangle at the intersection of a public street right-of-way and an  
802 alleyway.
- 803 c. Ten-foot triangle at the intersection of a public street right-of-way and a driveway.
- 804 Sight triangle shall be determined by measuring the specified distance along each right-  
805 of-way, alley or driveway and then connecting the ends of such lines with an imaginary  
806 line.

- 807 (2) Located in a landscaped area surrounding the base of the sign of a minimum two feet in  
808 width. The landscaped area required by this subsection shall count towards the  
809 landscaping requirements of article IV, division 8 of this chapter.
- 810 (3) Shopping centers on Hallandale Beach Blvd. or U.S. 1 having more than three acres and  
811 a main street frontage of 500 linear feet may utilize LED technology for one permitted  
812 monument sign subject to the criteria outlined in section 32-606(g).
- 813 (e) *Freestanding signs.* Freestanding signs in residential zoned districts when permitted by  
814 subsections 32-605(b) and (c) of this article:
- 815 (1) Temporary signs and ~~bonus political~~ signs which do not violate the vision clearance  
816 requirements of subsection 32-606(d)(1)a., and are not located between the sidewalk  
817 and roadway, are exempted from this restriction.
- 818 (2) Shall not project over any pedestrian walkway or over any vehicular driveway.
- 819 (3) Shall not be located over any public street right-of-way, including the sidewalk; except  
820 that a real estate, construction or ~~bonus political~~ sign may be located within a right-of-  
821 way in a single-family zoning district if it is not placed between the sidewalk and roadway,  
822 or if there are no sidewalks, the sign is set back a minimum of ten feet from the road.
- 823 (f) *Illuminated signs.* Illuminated signs, including those located in show or display windows, and  
824 exterior lighting shall:
- 825 (1) Have their power source or connection shielded in UL-approved housing or other  
826 acceptable housing permitted by the National Electrical Code.
- 827 (2) Not exceed a maximum intensity of illumination for any type of light source of 20 foot  
828 candles when measured 20 feet from the source. Intensities of illumination shall be  
829 subject to review by the city electrical inspector, who may request a certified lighting  
830 engineer's report at the applicant's expense on the actual intensity of the illumination to  
831 determine compliance with the maximum permitted levels of intensity set out in this  
832 subsection.
- 833 (g) *LED signs.* LED signs, where permitted, shall be subject to the following criteria:
- 834 (1) Shall not be located on or face any local street.
- 835 (2) Only signs advertising the business(es) located on the property where the sign is located  
836 shall be permitted. Off-premise advertising shall be prohibited except as permitted in  
837 section 32-607(a).
- 838 (3) Full color, single color and grayscale LED signs shall be permitted, unless otherwise  
839 prohibited.
- 840 (4) Messages shall display for a minimum of five seconds. Any change of message shall  
841 occur simultaneously on the entire sign face and must change within one second or less.
- 842 (5) Blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating, or spotlights are  
843 prohibited.
- 844 (6) Lights or colored elements creating a continuously moving, shimmering or prismatic  
845 effect, or the use of rotating or moving parts in association with such lights or colored  
846 elements are prohibited.
- 847 (7) Brightness limits shall be set at a maximum of 6500 nits between sunrise and sunset,  
848 and at a maximum of 1250 nits between sunset and sunrise, and each sign shall be fitted  
849 with a qualified light sensing device to automatically adjust the brightness in accordance  
850 with these standards.

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

854 (h) *Awning signs.*

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

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

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

862 (*Code 1980, app. A, art. XII, § 6; Ord. No. 2005-15, § 1, 10-3-2005; Ord. No. 2012-01,*  
863 *§ 1, 1-4-2012)*

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

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

868 (1) Pari-mutuel signs shall:

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

875 (2) Parking lot signs shall:

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

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

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

- 881 a. Be limited to ~~one~~ three signs per candidate or issue per business establishment,  
882 residential dwelling unit or vacant property.
- 883 b. Not be erected prior to 60 calendar days of election.
- 884 c. Be removed within ten calendar days after the election ~~in which the candidate or~~  
885 ~~issue was last on the ballot.~~
- 886 d. Not be placed upon any tree, utility pole, streetlight, public property, public right-of-  
887 way, or abandoned vehicle or machinery, except as may be allowed by section 32-  
888 606(e)(3).

- 889 e. Not be placed on vacant property unless the owner or his authorized agent shall  
890 have agreed, by execution of an appropriate form of agreement supplied by the city,  
891 to permit the placement of not more than ~~one~~ three bonus political signs per  
892 ~~candidate or issue~~ on the property and that any sign placed, except as so permitted,  
893 shall be subject to removal without notice by the director.
- 894 f. Not exceed 16 square feet each in sign area an overall height of 16 feet.
- 895 g. Be single-faced or double-faced on one sign structure, provided however when two  
896 sign faces are part of the same structure such as an "A" or "V" sign, and are not  
897 more than 42 inches apart, the sign area shall be computed by the measurement of  
898 one of the faces.
- 899 h. Not be placed nearer to a designated polling place than the distance designated in  
900 F.S. § 102.031 as the minimum distance from a polling place where political  
901 solicitations will be allowed.
- 902 i. Be subject to immediate removal, without notice, by the director for noncompliance  
903 with the provisions of this division.
- 904 j. Be securely affixed to a vehicle by a magnetic or similar type material which cannot  
905 be easily be removed, provided the sign is in compliance with this subsection.
- 906 (2) Bonding required.
- 907 a. Prior to the posting of election signs, each candidate, campaign chairperson, firm or  
908 corporation shall file with the city and provide an address and telephone number at  
909 which the candidate, campaign chairperson, firm or corporation wishing to post the  
910 sign may be reached during normal business hours concerning any violation of this  
911 division or requirements of the city. A refundable cash bond or surety bond payable  
912 to the city conditioned upon compliance with the sign regulations permitted in this  
913 subsection in an amount of \$200.00 shall be submitted and posted for each  
914 candidate or issue to the city clerk prior to erecting any political signs in the city. This  
915 amount shall be refunded subject to compliance with regulation as set forth in this  
916 subsection except that \$100.00 shall be retained by the city to cover administrative  
917 cost. Should the city remove or adjust the sign due to noncompliance with the  
918 regulations, the refund amount shall be adjusted in an amount equal to the city's  
919 cost of removal of the sign.
- 920 (3) Exemption from bond requirement. Any candidate who has filed a qualifying fee petition  
921 pursuant to F.S. § 99.095 or an affidavit pursuant to F.S. § 99.093, shall be exempt from  
922 the requirement of posting the bond, provided however, that if the city removes or adjusts  
923 the candidate's sign due to noncompliance, the candidate shall be responsible for  
924 payment to the city of its cost and expense of removal or adjustment of the sign.
- 925 (c) *City entry information signs.* City entry information signs:
- 926 (1) May be permitted by the director at or near the city limits on public or private property.
- 927 (2) Shall contain only the names or insignias of service clubs, fraternal organizations,  
928 churches or synagogues.
- 929 (3) Shall not exceed an aggregate sign area of 30 square feet, with no single organization  
930 having a sign greater than three square feet in sign area.
- 931 (d) *Special-occasion signs, banners, balloons, or decorations.* Special-occasion signs, banners,  
932 balloons, or decorations may:
- 933 (1) Be permitted by the director for a specified purpose and period of time.

- 934 (2) ~~Only be displayed during and up to seven days prior to the recognized holiday, activity,~~  
935 ~~event or grand opening to which they relate.~~ For the purposes of this division, a grand  
936 opening shall not exceed 14 days' duration. For the purpose of this subsection, the only  
937 activities for which commercial enterprises may qualify for a special-occasion sign,  
938 banner or decoration permit shall be grand openings, licensed going out of business  
939 sales, established legal holidays, or changes in ownership or management.  
940 Noncommercial entities can only qualify for a legitimate, established activity or event  
941 directly related to their function or purpose as determined by the director.
- 942 (3) ~~Be displayed up to 30 days prior to Christmas if such sign, banner or decoration relates~~  
943 ~~directly to the holiday period.~~
- 944 (4) Be permitted by the director for activities for which a temporary use permit has been  
945 issued pursuant to sections 32-701—32-707; provided that, except as set forth in  
946 subsection (d)(2) and (3) of this section, they may only be displayed during the specific  
947 period of time for which the permit was issued.
- 948 (5) Be displayed by a business having direct ground floor customer access from outdoors  
949 once every six months for a 14 consecutive day period for the purpose of business  
950 promotional advertisement; such displays shall not impede pedestrian and or vehicular  
951 traffic, obstruct required off-street parking or other businesses, not be located in the  
952 public right-of-way, and not be offensive or lewd, depending on city manager or designee  
953 approval.
- 954 (6) The city manager may approve special occasion signage for a period greater than 14  
955 days and more than twice a year for special events or occasions as determined by the  
956 city manager.
- 957 (e) *Signs for special events.*
- 958 (1) In addition to signs otherwise permitted by this division, applicants may be permitted the  
959 following special-event signs as a part of a temporary use application for the event:
- 960 a. Balloons no larger than 15 inches in diameter and in groups of no more than five  
961 balloons per cluster may be located at the site of the special event. Such clusters  
962 shall be placed and distributed so as to be consistent with visual clearance and  
963 traffic safety. Placement of such balloons shall occur no earlier than 24 hours prior  
964 to the event and shall be removed no later than 24 hours after the termination of  
965 such event.
- 966 b. One single-faced or double-faced freestanding sign of 32 square feet or less per  
967 roadway frontage of not less than 1,000 linear feet identifying the event and/or  
968 sponsor and located on the roadway frontage of the property where the special  
969 event will occur. Placement shall occur no earlier than ten days prior to the event,  
970 and the sign must be removed within 48 hours following the termination of the event.  
971 If a location on a particular property is not feasible, the city manager may authorize  
972 such sign to be placed on the abutting right-of-way in a manner consistent with visual  
973 clearance and traffic safety.
- 974 c. Freestanding signs no greater than 16 square feet in area identifying the special  
975 event, giving directional information and otherwise in compliance with visual  
976 clearance and traffic safety, may be permitted to be placed in the roadway median  
977 adjacent to the property where the event is taking place. Such signs shall be  
978 permitted only during such event.
- 979 d. Banner signs advertising a special event and containing information as to the name  
980 of the event, its date and sponsors of the event, if applicable, suspended over

981 roadways in sizes approved by the city manager and having height clearances not  
982 less than 16½ feet above the crown of the road may be approved by the city  
983 manager if consistent with visual clearances and traffic safety. Such signs shall be  
984 approved by all regulatory agencies having jurisdiction, including the state  
985 department of transportation and the county traffic engineering division-and shall be  
986 placed no earlier than 14 days prior to the special event and removed no later than  
987 48 hours after the special event.

988 Signs for special events shall be subject to immediate removal, without notice, by the  
989 director for noncompliance with the provisions of this division

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

997 (f) *Temporary signs.*

998 (1) Businesses adversely impacted by road construction shall be permitted to erect one  
999 temporary portable sign and one banner to direct customers to their place of business.  
1000 Portable signs:

1001 a. Shall not exceed an aggregate sign area of 16 square feet.

1002 b. May be single faced or double faced on sign structure.

1003 c. May be located off-premises if the temporary sign does not create a safety hazard  
1004 nor obstruct vehicular or pedestrian traffic. Signs erected in violation of this  
1005 subsection shall be subject to immediate removal, without notice.

1006 (2) Businesses adversely impacted by construction during exterior renovations or  
1007 improvements, shall be permitted to erect one temporary banner sign per establishment  
1008 not to exceed 20 square feet.

1009 *(Code 1980, app. A, art. XII, § 7; Ord. No. 2003-03, § 1, 1-21-2003; Ord. No. 2005-1, §*  
1010 *1, 1-4-2005; Ord. No. 2005-15, § 1, 10-3-2005; Ord. No. 2009-19, § 1, 11-4-2009; Ord.*  
1011 *No. 2012-01, § 1, 1-4-2012)*

1012 Sec. 32-6089. - Nonconforming signs.

1013 (a) *Determination of nonconformity.*

1014 (1) Every sign or sign structure lawfully in existence and conforming prior to the effective  
1015 date of this division, which, by virtue of the limitations on the number, height, sign area,  
1016 size, location, use, design or construction, or structural support contained in this division,  
1017 does not conform with this division, shall be considered nonconforming and subject to  
1018 removal as specified in subsection (b) of this section.

1019 (2) Signs or sign structures that have never been lawfully permitted and never were a valid  
1020 nonconforming use shall be subject to immediate removal. All signs or sign structures  
1021 that were erected without a permit but conform to this division must obtain a permit  
1022 immediately and a fine shall be paid in the form of a double permit fee.

- 1023 (b) *Removal required.* All nonconforming signs or sign structures shall not be structurally altered  
 1024 or enlarged unless they are made to conform with all the requirements of this division except  
 1025 as provided as follows:
- 1026 (1) All nonconforming projecting signs shall be removed when the presently advertised  
 1027 business ceases to operate.
- 1028 (2) Existing nonconforming monument signs which have received a sign permit and  
 1029 otherwise comply with the provisions of subsection 32-606(d), except for setback, shall  
 1030 be allowed to remain.
- 1031 (3) Nonconforming freestanding signs advertising establishments existing at the time of the  
 1032 passage of this section may remain, be repaired, replaced or altered provided that there  
 1033 is no increase in nonconformity to the previous sign. Any change of copy to advertise a  
 1034 new establishment at single-use properties is subject to the terms of subsection (4)  
 1035 below, and such sign at multi-use property must be removed or made conforming if a  
 1036 new conforming freestanding sign is erected on the property.
- 1037 (4) Nonconforming freestanding signs for a single-use property shall be removed when the  
 1038 presently advertised business ceases to operate or shall be altered or replaced with a  
 1039 freestanding sign which reduces nonconformities. Such sign shall not exceed a height  
 1040 of 15 feet or the sign area specified by subsection 32-605(d)(2)a. for the establishment.  
 1041 Such sign shall have a pylon base flush with the ground under all or minimum of 50  
 1042 percent of the width of the sign structure so as to cover the supporting poles of the sign.  
 1043 The sign shall be of materials and design per the city's design guidelines manual and  
 1044 acceptable to the city manager. Any person aggrieved by the decision of the city  
 1045 manager may appeal to the Ceity Ceommission by filing an administrative appeal within  
 1046 15 days after the date of the decision complained of and provide the reasons for appeal.
- 1047 (5) Nonconforming freestanding signs in the RS-5, RS-6, RS-7, RD-12, RM-18, and RM-25  
 1048 zoning districts may be maintained and repaired subject to the terms of subsections  
 1049 (c),(d) and (e) below provided however that such sign must be removed or made  
 1050 conforming if a new conforming freestanding sign is erected on the property.  
 1051 Replacement signs shall comply with the requirements of this division.
- 1052 (c) *Natural damage.* Nonconforming signs and sign structures which, to the extent of 50 percent  
 1053 or more of their value, are destroyed by wind, deterioration or other damage shall be made  
 1054 to conform with all the requirements of this division or be completely removed.
- 1055 (d) *Nonconforming signs in RM-25 district.* Directional signs or signs identifying a residential  
 1056 structure which were existing and legally permitted as of August 21, 1979, located on any lot,  
 1057 tract or parcel of land in the RM-25 use district within the city are exempt from the amortization  
 1058 provisions of subsection (b) of this section. Signs exempt under this subsection may be  
 1059 replaced during the life of the residential structure with which the exempt sign is associated,  
 1060 provided that such replacement sign is no greater in square feet than the sign it replaces and  
 1061 does not enlarge, increase, expand, extend or intensify the previous sign use. Commercial  
 1062 signs ~~Signs having any commercial content~~ or signs which are prohibited under subsection  
 1063 32-604(e) are not exempted by this subsection.
- 1064 (e) *Conforming, nonconforming signs prohibited on same premises.* No conforming sign or sign  
 1065 structure shall be erected on the same premises with an existing nonconforming sign until  
 1066 the nonconforming sign has been made to conform with all the requirements of this article.  
 1067 Existing nonconforming signs to this provision shall be made to conform within six months  
 1068 from the adoption of this section.

1069 (Code 1980, app. A, art. XII, § 8; Ord. No. 2001-16, § 3, 9-18-01; Ord. No. 2005-15, §  
1070 1, 10-3-2005)

1071 Sec. 32-60910. - Administration and enforcement.

1072 (a) *By city manager.* The requirements of this division shall be administered and enforced by the  
1073 city manager.

1074 (b) *The city manager.* The city manager may administratively grant a variance of up to 20 percent  
1075 pursuant to subsection 32-965(h), provided line of sight and other safety considerations are  
1076 not compromised. An appeal by an applicant from the city manager's denial of a sign variance  
1077 shall proceed under subsection 32-965(h)(5).

1078 (c) *Vacant premises.* All sign copy shall be removed by the owner or lessee or person in control  
1079 of the premises when the establishment which it advertises ceases to operate.

1080 (d) *Produced on violations and appeals.*

1081 (1) If the director shall find that any of the provisions of this division are being violated, he  
1082 shall give written notice to the person responsible for such violation, or the owner of the  
1083 premises on which the violation occurs, indicating the nature of the violation and ordering  
1084 the action necessary to correct it. The director shall order discontinuance, alteration or  
1085 removal or take any other action necessary to correct violations or ensure compliance  
1086 with all the provisions of this division.

1087 (2) Issuance of a permit shall not be construed to be an approval of any violation; and upon  
1088 discovery of a violation, the director shall order its immediate correction and may stop or  
1089 prevent the erection of any sign until the correction is completed.

1090 (3) Any appeal from the decision of the director shall be made to the city commission within  
1091 30 days after rendition of a denial. All pertinent information, specific details, both graphic  
1092 and written, shall be submitted with the appeal for the city commission's consideration  
1093 or the appeal shall not be considered.

1094 (e) *Interpretation of applications for permits.* In all applications for permits where a matter of  
1095 interpretation arises, this division shall be strictly construed against the applicant.

1096 (f) *Penalties.* A person violating any of the provisions of this division shall upon conviction be  
1097 punished as provided by law. Each day such violation is committed or permitted to continue  
1098 shall constitute a separate offense and shall be punishable as such under this subsection.

1099 (g) *Variances.*

1100 (1) A variance to the terms of this division may be granted by the city commission where,  
1101 due to special conditions and circumstances which are peculiar to the land, structure or  
1102 building involved, a literal enforcement of the provisions of this division will result in  
1103 unnecessary and undue hardships.

1104 (2) In order to authorize any variances under this subsection, it must be found that the:

1105 a. Land, structure or building involved has been adversely affected by a change  
1106 resulting from the actions of a public body or public utility, such as but not limited to  
1107 road widening or one-way road coupling, or relocation of a utility pole; and

1108 b. Change did not result from the actions of the applicant.

1109 (3) Applications for variances under this subsection shall be filed with the director on  
1110 prescribed forms and shall include a statement of the applicant's interest in the subject

1111 property. If the applicant is not the owner of record, the written consent of the owner shall  
1112 be required.

1113 (4) Applications for variances under this subsection shall be accompanied by sufficient data,  
1114 such as a site plan or survey and a depiction of the sign and building, so that an  
1115 evaluation of the facts and circumstances can be made.

1116 (5) There shall be a filing fee for each application for a variance under this subsection. Such  
1117 fee is on file in the city clerk's office.

1118 (6) The application and a staff report shall be transmitted directly to the city commission.

1119 (7) Such variance application shall be advertised, posted and noticed in conformity with the  
1120 provisions of section 32-967 respecting variances.

1121 (h) *When applications for sign variance not permitted.* Applications for sign variances will not be  
1122 considered with respect to signs for which permits have been issued where such signs were  
1123 not constructed in conformity with plans and specifications submitted for such permits or  
1124 where such signs have been constructed without permits.

1125 *(Code 1980, app. A, art. XII, § 9; Ord. No. 2005-15, § 1, 10-3-2005)*

1126 **Cross reference**— Administration, ch. 2.

1127 Secs. 32-611—32-630. - Reserved.

1128 **SECTION 2. Conflict.** All ordinances or portions of the Code of Ordinances of the City of  
1129 Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent  
1130 of such conflict.

1131  
1132 **SECTION 3. Severability.** Should any provision of this ordinance be declared by a court  
1133 of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a  
1134 whole, or any part thereof, other than the part declared to be invalid.

1135  
1136 **SECTION 4. Codification.** It is the intention of the Mayor and City Commission that the  
1137 provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention  
1138 the words “ordinance” or “section” may be changed to other appropriate words.

1139  
1140 **SECTION 5. Effective date.** This Ordinance shall take effect immediately upon adoption.

1141

1142 PASSED AND APPROVED on 1<sup>st</sup> reading on \_\_\_\_\_, April, 2016.

1143 PASSED AND ADOPTED on 2<sup>nd</sup> reading on \_\_\_\_\_, April, 2016.

1144

1145  
1146 \_\_\_\_\_  
JOY F. COOPER

1147  
1148  
1149  
1150  
1151  
1152  
1153  
1154  
1155  
1156  
1157  
1158  
1159  
1160  
1161  
1162  
1163  
1164  
1165  
1166  
1167

MAYOR

SPONSORED BY: CITY ADMINISTRATION

ATTEST:

---

MARIO BATAILLE, CMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY  
AND FORM

---

V. LYNN WHITFIELD  
CITY ATTORNEY