



CITY OF OVIEDO FLORIDA
400 ALEXANDRIA BLVD, OVIEDO, FL 32765
COUNCIL AGENDA REGULAR SESSION
MONDAY, APRIL 21, 2025
CITY HALL 6:30 PM

12. Ordinance No. 1757, Amendments to the Code of Ordinances Section 30-3: Political Campaign Signs, Advertisements Prohibited on City-owned Property

Pursuant to Section 286.0105, Florida Statutes, any person desiring to appeal any decision made by the City Council, with respect to any matter considered at any meeting or hearing, will need a record of the proceedings and may need to ensure that a verbatim record of the processing is made which includes the testimony and evidence upon which the appeal is to be based. This record is not provided by the City of Oviedo.

All services, programs and activities of the City of Oviedo are offered and solicited without regard to race, color, national origin, age sex, religion, disability or family status. For information regarding the City's Title VI nondiscrimination policy, plan and procedures please visit www.cityofoviedo.net.

In accordance with the Americans with Disabilities Act, persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at 407-971-5500 at least 48 hours in advance of the meeting.

Agenda Memorandum

To: Honorable Mayor and City Council Members
Prepared By: Debra Pierre, Deputy Development Services Director
From: Bryan Cobb, City Manager
Date: April 21, 2025
Subject: **Ordinance No. 1757**, Amendments to the Code of Ordinances Section 30-3:
Political Campaign Signs, Advertisements Prohibited on City-owned Property

Procedure: Call Up Item
Presiding Officer Asks Attorney to Read Ordinance by Title Only
City Manager Background
Council Motion to Schedule Public Hearing Monday, May 5, 2025
Council Action

Introduction: This is a request for City Council to adopt amendments to the Code of Ordinances Section 30-3: Political Campaign Signs, Advertisements Prohibited on City-owned Property.

Discussion: During the 2024 primary and general elections, the City received complaints regarding the removal of campaign signs. City Staff did remove signs that had been placed in the public right-of-way. However, some of the complaints alleged that Staff had removed signs that were placed on city-owned property that was not right-of-way. Complaints were also expressed about whether or not the City's campaign sign regulations allowed the placement of signs on city-owned property during early voting. These complaints focused on an interpretation of "on the actual day of any primary, general, or special election held in the City". The complaints were based on an interpretation that each early voting day was "an actual day of the primary or general election" since voters were casting ballots at the polling places.

At its October 6, 2006 meeting, City Council adopted Ordinance No. 1363 which amended the City's Code of Ordinances to create regulations pertaining to the placement of campaign signs on city-owned property. At the time, the City's Land Development Code prohibited placement of campaign signs on public right-of-way and contained regulations addressing the placement of campaign signs on private property. However, the Land Development Code and Code of Ordinances were silent on the placement of campaign signs on city-owned property. When Ordinance No. 1363 was presented to the City Council, it prohibited the placement of campaign signs on city-owned property and provided for the removal of the signs. Section 2 contained the following language:

- (a) It is prohibited and unlawful for any person to erect, place, or install a political sign or advertisement on city-owned property.

- (b) Any sign or advertisement which does not conform to the provisions of this Section shall be removed by the appropriate department of the City, as designated by the City Manager.
- (c) In addition to and notwithstanding any other provisions of this Section, any such political/campaign signs or advertisement placed on any public roadway in violation of this Section is hereby declared to be abandoned property and is thereby subject to being removed by any person provided that such removal is accomplished in a safe and peaceful manner. This Section shall not be constructed to permit any person who removes such abandoned property to do so in a manner that endangers any person, property, or the safety of any other person traveling on such roadway.

During its deliberations of Ordinance No. 1363, City Council directed that an exception be created for election day. City Council adopted Ordinance No. 1363 with the exemption for election day. Section 2(a) of the ordinance was amended in accordance with City Council's direction. The amended language is provided below in underline.

- (a) It is prohibited and unlawful for any person to erect, place, or install a political sign or advertisement on city-owned property except on the actual day of any primary, general, or special election held within the City.

Ordinance No. 1363 was codified into the City's Code of Ordinances as Section 30-3. A copy of Section 30-3 is provided in Attachment 1.

Staff and the City Attorney researched Florida Statutes and found that the Statutes contain specific regulations for primary (Section 100.061), general (Section 100.031) and special (Section 100.101) elections. Early voting is addressed in Section 101.657, Florida Statutes. Copies of Sections 100.031, 100.061, 100.101, and 101.657 are provided in Attachment 2.

Section 100.061, Florida Statutes identifies the actual day of a primary election as the Tuesday eleven (11) weeks prior to the general election. Section 100.031, Florida Statutes identifies the actual day of a general election as the first Tuesday after the first Monday in November of each even-numbered year. Section 100.101, Florida Statutes identifies the purposes for scheduling a special election. Section 101.657 identifies when early voting may be held. It also addresses how cities may provide for early voting for municipal elections. Based on this research, it is Staff's and the City Attorney's opinion that the exception provided in Ordinance No. 1363 and subsequently Code of Ordinances Section 30-3(a) is for the actual days of the primary, general, and special elections as described in Florida Statutes and does not apply to early voting.

At its November 4, 2024 meeting, City Council directed Staff to review the City's campaign sign regulations and recommend amendments regarding the placement of campaign signs on city-owned property and address the concerns expressed about early voting. City Council expressed the importance of having new regulations in place prior to the 2025 elections.

City Council held two (2) meetings to discuss proposed amendments to the City's Code of Ordinances and to the City's Land Development Code relating to campaign signs. At the first meeting on February 3, 2025, City Council discussed campaign signs and raised the following issues:

1. City Council discussed changing the times that signs can be placed and must be removed from City property serving as a polling location. The recommended amendment stated "Allow the placement of campaign signs on the property for the time period beginning two (2) hours before the opening of the polls on the first day of early voting for the primary election and ending one (1) hour after the closure of the polls on the actual day of the primary election." City Council discussed changing the amendment to allow the campaign signs to be placed on City property serving as a polling location after the sunset on the day before the beginning of the voting and removed before the sunrise the day after the polls close.
2. City Council expressed concern about people from outside of the City that represent candidates for County, State and Federal offices placing signs on City property and the right-of-way without an understanding of the City's sign regulations.
3. City Council discussed the possibility of allowing campaign signs to be placed in the right-of-way adjacent to a polling place, with the limitation of allowing one (1) sign per person.

At the second meeting, on February 24, 2025, City Council provided consensus to make the following changes to the City's Code of Ordinance Section 30-3:

1. Allow the placement of campaign signs 4:00 pm the day before and removed by 12:00 p.m. the day after; and
2. Allow the placement of campaign signs of six (6) square feet or less in the right-of-way directly adjacent and on the same side as the polling location. Such signs shall not block the line of sight and shall not be located on a sidewalk.

The amendments to Code of Ordinances Section 30-3 accomplish the following:

1. Prohibit the placement of campaign signs on city-owned property unless the property serves as a polling place for an election.
2. When a city-owned property serves a polling place for an election:
 - a. Allow the placement of campaign signs on the property for the time period beginning at 4:00 p.m. the day before the opening of the polls on the first day of early voting for the primary election and shall be removed by 12:00 p.m. the day after the closure of the polls for the actual day of the primary election.

- b. Allow the placement of campaign signs on the property for the time period beginning at 4:00 p.m. the day before the opening of the polls on the first day of early voting and shall be removed by 12:00 p.m. the day after the closure of the polls on the actual day of the general election.
 - c. Allow the placement of campaign signs on the property for the time period beginning at 4:00 p.m. the day before the opening of the polls on the first day of early voting and shall be removed by 12:00 p.m. the day after the closure of the polls for the actual day of the special election.
 - d. Establish a maximum square footage for a campaign sign placed on property of six (6) square feet.
 - e. Establish the City's right as property owner to designate any area of the property as "off-limits" and not available for campaign sign placement.
 - f. Establish that it is the responsibility of the owner of the sign to remove the sign.
- 3. Provide for the removal of a campaign sign violating these regulations by a code enforcement officer designated by the City Manager or an election worker appointed by the Seminole Supervisor of Elections.
 - 4. Prohibit the placement of campaign signs within the public right-of-way and provide for their removal by a code enforcement officer designated by the City Manager. Except that campaign signs of six (6) square feet or less may be placed in the public right-of-way directly adjacent and on the same side as a designated polling location. However, such signs shall not block the line of sight and shall not obstruct or be placed on a public sidewalk.
 - 5. Allow persons supporting campaigns to carry and display political campaign signs on public sidewalks in such a manner that does not obstruct others from using the sidewalk or endanger any person or property using the sidewalk, but prohibit campaign signs to be placed on any public sidewalk.

A copy of the recommended amendments to Code of Ordinances Section 30-3 is provided in Attachment 3 and Exhibit A of Ordinance No. 1757.

Budget Impact: There are no budgetary impacts arising from approval of Ordinance No. 1757.

Strategic Impact: The proposed amendments are consistent with the goal, objectives and strategies of the High-Performance Governance Strategic Focus Area.

Business Impact Estimate: A Business Impact Estimate is provided in Attachment 4.

Honorable Mayor and City Council Members

April 21, 2025

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Recommendation: It is recommended that City Council read Ordinance No. 1757 by title only and schedule a public hearing for May 5, 2025.

Attachment(s):

1. Code of Ordinance Section 30-3
2. Sections 100.031, 100.061, 100.101, and 101.657
3. Amendments to Code of Ordinance Section 30-3
4. Business Impact Estimate

Sec. 30-3. Political campaign signs, advertisements prohibited on city-owned property.

- (a) It is prohibited and unlawful for any person to erect, place or install a political sign or advertisement on city-owned property except on the actual day of any primary, general or special election held within the city.
- (b) Any sign or advertisement which does not conform to the provisions of this section shall be removed by the appropriate department of the city, as designated by the city manager.
- (c) In addition to and notwithstanding any other provisions of this section, any such political campaign sign or advertisement placed on any public roadway in violation of this section is hereby declared to be abandoned property and is thereby subject to being removed by any person, provided that such removal is accomplished in a safe and peaceful manner. This section shall not be construed to permit any person who removes such abandoned property to do so in a manner that endangers any person, property or the safety of any other person traveling on such roadway.

(Ord. No. 1363, § 2, 10-16-2006)

Select Year:

The 2024 Florida Statutes

Title IX
ELECTORS AND
ELECTIONS

Chapter 100
GENERAL, PRIMARY, SPECIAL, BOND, AND
REFERENDUM ELECTIONS

[View Entire
Chapter](#)

100.031 General election.—A general election shall be held in each county on the first Tuesday after the first Monday in November of each even-numbered year to choose a successor to each elective federal, state, county, and district officer whose term will expire before the next general election and, except as provided in the State Constitution, to fill each vacancy in elective office for the unexpired portion of the term.

History.—s. 2, ch. 3879, 1889; RS 155; s. 2, ch. 4328, 1895; s. 1, ch. 4537, 1897; GS 171; RGS 216; CGL 251; s. 4, ch. 26870, 1951; s. 12, ch. 77-175.

Note.—Former s. 98.04.

Select Year: 2024 ▼ Go

The 2024 Florida Statutes

Title IX
ELECTORS AND
ELECTIONS

Chapter 100
GENERAL, PRIMARY, SPECIAL, BOND, AND
REFERENDUM ELECTIONS

[View Entire
Chapter](#)

100.061 Primary election.—In each year in which a general election is held, a primary election for nomination of candidates of political parties shall be held on the Tuesday 11 weeks prior to the general election. The candidate receiving the highest number of votes cast in each contest in the primary election shall be declared nominated for such office. If two or more candidates receive an equal and highest number of votes for the same office, such candidates shall draw lots to determine which candidate is nominated.

History.—s. 5, ch. 6469, 1913; RGS 303; CGL 359; s. 2, ch. 13761, 1929; s. 1, ch. 17897, 1937; s. 7, ch. 26329, 1949; s. 4, ch. 26870, 1951; s. 1, ch. 57-166; s. 1, ch. 59-4; s. 1, ch. 69-1745; s. 4, ch. 83-251; s. 11, ch. 2005-286; s. 22, ch. 2007-30; s. 20, ch. 2011-40; s. 3, ch. 2013-57; s. 6, ch. 2019-162.

Note.—Former s. 102.05.

Select Year: 2024 ▼ Go

The 2024 Florida Statutes

Title IX
ELECTORS AND
ELECTIONS

Chapter 100
GENERAL, PRIMARY, SPECIAL, BOND, AND
REFERENDUM ELECTIONS

[View Entire
Chapter](#)

100.101 Special elections and special primary elections.—A special election or special primary election shall be held in the following cases:

- (1) If no person has been elected at a general election to fill an office which was required to be filled by election at such general election.
- (2) If a vacancy occurs in the office of state senator or member of the state house of representatives.
- (3) If it is necessary to elect presidential electors, by reason of the offices of President and Vice President both having become vacant.
- (4) If a vacancy occurs in the office of member from Florida of the House of Representatives of Congress.

History.—s. 4, ch. 3879, 1889; RS 158; s. 5, ch. 4328, 1895; GS 175; RGS 219; CGL 254; s. 4, ch. 26870, 1951; s. 12, ch. 77-175; s. 3, ch. 83-15; s. 19, ch. 2005-277; s. 21, ch. 2011-40.

Note.—Former s. 98.08.

The 2024 Florida Statutes

[Title IX](#)[ELECTORS AND ELECTIONS](#)[Chapter 101](#)[VOTING METHODS AND PROCEDURE](#)[View Entire Chapter](#)**101.657 Early voting.—**

(1)(a) As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for each early voted ballot. In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election. The supervisor may also designate any city hall, permanent public library facility, fairground, civic center, courthouse, county commission building, stadium, convention center, government-owned senior center, or government-owned community center as an early voting site; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable, and must provide sufficient nonpermitted parking to accommodate the anticipated amount of voters. In addition, a supervisor may designate one early voting site per election in an area of the county that does not have any of the eligible early voting locations. Such additional early voting site must be geographically located so as to provide all voters in that area with an equal opportunity to cast a ballot, insofar as is practicable, and must provide sufficient nonpermitted parking to accommodate the anticipated amount of voters. Each county shall, at a minimum, operate the same total number of early voting sites for a general election which the county operated for the 2012 general election. The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.

(b) The supervisor shall designate each early voting site by no later than the 30th day prior to an election and shall designate an early voting area, as defined in s. [97.021](#), at each early voting site. The supervisor shall provide to the division no later than the 30th day before an election the address of each early voting site and the hours that early voting will occur at each site.

(c) All early voting sites in a county shall allow any person in line at the closing of an early voting site to vote.

(d) Early voting shall begin on the 10th day before an election that contains state or federal races and end on the 3rd day before the election, and shall be provided for no less than 8 hours and no more than 12 hours per day at each site during the applicable period. In addition, early voting may be offered at the discretion of the supervisor of elections on the 15th, 14th, 13th, 12th, 11th, or 2nd day before an election that contains state or federal races for at least 8 hours per day, but not more than 12 hours per day. The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections.

(e) Notwithstanding the requirements of s. [100.3605](#), municipalities may provide early voting in municipal elections that are not held in conjunction with county or state elections. If a municipality provides early voting, it may designate as many sites as necessary and shall conduct its activities in accordance with the provisions of paragraphs (a)-(c). The supervisor is not required to conduct early voting if it is provided pursuant to this subsection.

(f) Notwithstanding the requirements of s. [189.04](#), special districts may provide early voting in any district election not held in conjunction with county or state elections. If a special district provides early voting, it may designate as many sites as necessary and shall conduct its activities in accordance with the provisions of paragraphs (a)-(c). The supervisor is not required to conduct early voting if it is provided pursuant to this subsection.

(2) During any early voting period, each supervisor shall make available the total number of voters casting a ballot at each early voting location and the total number of vote-by-mail ballots received under s. 101.69(2) during the previous day. Each supervisor shall prepare an electronic data file listing the individual voters who cast a ballot during the early voting period. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than noon of each day and shall be contemporaneously provided to the division.

(3) The ballot of each elector voting early shall be counted even if the elector dies on or before election day.

(4)(a) The elector must provide identification and must complete an Early Voting Voter Certificate in substantially the following form:

EARLY VOTING VOTER CERTIFICATE

I, , am a qualified elector in this election and registered voter of County, Florida. I do solemnly swear or affirm that I am the person so listed on the voter registration rolls of County and that I reside at the listed address. I understand that if I commit or attempt to commit fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election I could be convicted of a felony of the third degree and both fined up to \$5,000 and imprisoned for up to 5 years. I understand that my failure to sign this certificate invalidates my ballot.

(Voter's Signature)

(Address)

(City/State)

(b) Any elector may challenge an elector seeking to vote early under the provisions of s. 101.111. Any challenged voter must vote a provisional ballot. The canvassing board shall review the ballot and decide the validity of the ballot by majority vote.

(c) The canvass of returns for ballots cast under this subsection shall be substantially the same as votes cast by electors in precincts, as provided in s. 101.5614.

History.—s. 17, ch. 98-129; s. 2, ch. 2000-249; s. 55, ch. 2001-40; s. 21, ch. 2003-415; s. 7, ch. 2004-232; s. 13, ch. 2004-252; s. 45, ch. 2005-277; s. 39, ch. 2005-278; s. 39, ch. 2011-40; s. 13, ch. 2013-57; s. 57, ch. 2014-22; ss. 10, 18, ch. 2019-162; s. 17, ch. 2020-2.

ATTACHMENT 3

Additions are shown in underline. Deletions are shown in ~~strike-through~~.

Sec. 30-3. Political campaign signs, advertisements prohibited on city-owned property.

- (a) It is prohibited and unlawful for any person to erect, place or install a political campaign sign or advertisement on city-owned property except as follows: ~~on the actual day of any primary, general or special election held within the city.~~
 - (1) When a city-owned property serves as a polling place for a primary election held in the city, political campaign signs or advertisements may be erected, placed or installed on the city-owned property for the time period beginning at 4:00 p.m. the day before the opening of the polls on the first day of early voting and shall be removed by 12:00 p.m. the day after the closure of the polls for the actual day of the primary election.
 - (2) When a city-owned property serves as a polling place for a general election held in the city, political campaign signs or advertisements may be erected, placed, or installed on the city-owned property for the time period beginning at 4:00 p.m. the day before the opening of the polls on the first day of early voting and shall be removed by 12:00 p.m. the day after the closure of the polls for the actual day of the general election.
 - (3) When a city-owned property serves as a polling place for a special election held in the city, political campaign signs or advertisements may be erected, placed, or installed on the city-owned property for the time period beginning at 4:00 p.m. the day before the opening of the polls on the first day of early voting and shall be removed by 12:00 p.m. the day after the closure of the polls for the actual day of the special election.
 - (4) The erection or removal of a political campaign sign shall be the responsibility of the owner of the sign.
- (b) Any political campaign sign or advertisement which does not conform to the provisions of this section may ~~shall~~ be removed by a code enforcement officer, the appropriate department of the city, as designated by the city manager, or an election worker appointed by the Seminole County Supervisor of Elections.
- (c) In addition to and notwithstanding any other provisions of this section, ~~any such~~ political campaign signs or advertisements shall not be erected, placed or installed on any public right-of-way, ~~roadway in violation of this section is hereby declared to be abandoned property and is thereby subject to being removed by any person, provided that such removal is accomplished in a safe and peaceful manner~~ except that campaign signs of six (6) square feet or less may be placed in the public right-of-way directly adjacent and on the same side as the designated polling location. However, such signs shall not block the line of sight and shall not obstruct or be placed on a public sidewalk. This section shall not be construed to permit any person who removes such abandoned property to do so in a manner that endangers any person, property or the safety of any other person traveling on

such roadway. Political campaign signs erected, placed or installed in a public right-of-way shall be removed by a code enforcement officer as designated by the city manager. However, notwithstanding the provisions of this section, persons supporting campaigns may carry and display political campaign signs on public sidewalks in such a manner that does not obstruct others from using the sidewalk or endanger any person or property using the sidewalk. At no time are political campaign signs allowed to be placed on any public sidewalk.

- (d) The maximum square footage for a campaign sign located on City-owned property shall be six (6) square feet.
- (e) The City reserves the right to designate any area of city-owned property serving as a polling place as "off-limits" and not available for political campaign sign placement.
- (f) The placement of political campaign signs or advertisements on City-owned property shall be prohibited unless the property serves as a polling place for an election.

ATTACHMENT 4



City of Oviedo Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City of Oviedo has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section the City of Oviedo may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

Proposed ordinance’s title/reference:

ORDINANCE NO. 1757

AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF OVIEDO, SPECIFICALLY SECTION 30-3 - POLITICAL CAMPAIGN SIGNS, ADVERTISEMENTS PROHIBITED ON CITY-OWNED PROPERTY; PROVIDING FOR CONFLICTS, SEVERABILITY; CODIFICATION AS WELL AS THE CORRECTION OF SCRIVENER’S ERRORS; AND AN EFFECTIVE

Applicable Exemptions:

The proposed ordinance is required for compliance with Federal or State law or regulation;

- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - ☐ Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
 - ☐ Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - ☐ Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - ☐ Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Business Impact Estimate:

The City of Oviedo hereby publishes the following information:

- 1. A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

The proposed Ordinance amends the City of Oviedo Code of Ordinances to address the allowance of, and restrictions upon, the placement of political campaign signs on City-owned property.

- 2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:**

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:**

There will be no direct compliance costs that businesses in the City of Oviedo will incur If this Ordinance is enacted.

- (b) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:**

There will be no new charges or fees that businesses which are subject to this Ordinance will incur or be financially responsible for if this Ordinance is enacted.

- (c) An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:**

There will be no new or increased regulatory costs that the City will incur if this Ordinance is enacted.

- 3. A good faith estimate of the number of businesses likely to be impacted by the ordinance:**

No businesses will likely be impacted if this Ordinance is enacted.

- 4. Additional information the governing body determines may be useful (if any):**

No additional useful information is available to be provided.

Note: *The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.*

ORDINANCE NO. 1757

AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF OVIEDO, SPECIFICALLY SECTION 30-3 - POLITICAL CAMPAIGN SIGNS, ADVERTISEMENTS PROHIBITED ON CITY-OWNED PROPERTY; IMPLEMENTING ADMINISTRATIVE ACTIONS, PROVIDING FOR SAVINGS; PROVIDING FOR CONFLICTS, SEVERABILITY; CODIFICATION AS WELL AS THE CORRECTION OF SCRIVENER'S ERRORS; AND AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Oviedo, Florida, deems it necessary to amend the *Code of Ordinances of the City of Oviedo, Florida* to clarify requirements and restrictions relating to political campaign signs; and

WHEREAS, the provisions of this Ordinance are consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Oviedo* and other controlling law; and

WHEREAS, this Ordinance is an exercise of the City of Oviedo's powers as a municipality under the provisions of Article VIII, Section 2 of the *Constitution of the State of Florida*; Chapter 163, *Florida Statutes*; Chapter 166, *Florida Statutes*, and other applicable law; and

WHEREAS, the City Council of the City of Oviedo, Florida has taken all actions in accordance with the requirements and procedures mandated by State law; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~strikethrough~~ shall constitute deletions to the original text.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS

SECTION 1. Legislative Findings and Intent.

(a) The City staff report and City Council agenda memorandum relating to this Ordinance are incorporated into the provisions of this Ordinance, as if fully set forth herein.

(b) The City of Oviedo has complied with all requirements and procedures of controlling Florida law in processing and advertising this Ordinance.

(c) The foregoing recitals (whereas clauses) are hereby adopted as the legislative findings of the City Council of the City of Oviedo and incorporated into this Ordinance as if set forth *in haec verba*.

SECTION 2. Amendment to City's Code of Ordinances. The Code of Ordinances of the City of Oviedo, Sec. 30-3. Political campaign signs, advertisements prohibited on city-owned property, shall be amended as follows. Additions are shown in underline. Deletions are shown in ~~strikethrough~~.

Sec. 30-3. Political campaign signs, advertisements prohibited on city-owned property.

- (a) It is prohibited and unlawful for any person to erect, place or install a political campaign sign or advertisement on city-owned property except as follows: ~~on the actual day of any primary, general or special election held within the city.~~
- (1) When a city-owned property serves as a polling place for a primary election held in the city, political campaign signs or advertisements may be erected, placed or installed on the city-owned property for the time period beginning at 4:00 p.m. the day before the opening of the polls on the first day of early voting and shall be removed by 12:00 p.m. the day after the closure of the polls for the actual day of the primary election.
- (2) When a city-owned property serves as a polling place for a general election held in the city, political campaign signs or advertisements may be erected, placed, or installed on the city-owned property for the time period beginning at 4:00 p.m. the day before the opening of the polls on the first day of early voting and shall be removed by 12:00 p.m. the day after the closure of the polls for the actual day of the general election.
- (3) When a city-owned property serves as a polling place for a special election held in the city, political campaign signs or advertisements may be erected, placed, or installed on the city-owned property for the time period beginning at 4:00 p.m. the day before the opening of the polls on the first day of early voting and shall be removed by 12:00 p.m. the day after the closure of the polls for the actual day of the special election.
- (4) The erection or removal of a political campaign sign shall be the responsibility of the owner of the sign.
- (b) Any political campaign sign or advertisement which does not conform to the provisions of this section ~~may~~ shall be removed by a code enforcement officer, the appropriate department of the city, as designated by the city manager, or an election worker appointed by the Seminole County Supervisor of Elections.
- (c) In addition to and notwithstanding any other provisions of this section, ~~any such political campaign signs or advertisements shall not be erected, placed or installed on any public right-of-way, roadway in violation of this section is hereby declared to be abandoned property and is thereby subject to being removed by any person, provided that such removal is accomplished in a safe and peaceful manner~~ except that campaign signs of six (6) square feet or less may be placed in the public right-of-way directly adjacent and on the same side as the designated polling location. However, such signs shall not block the line of sight and shall not obstruct or be placed on a public sidewalk. This section shall not be construed to permit any

~~person who removes such abandoned property to do so in a manner that endangers any person, property or the safety of any other person traveling on such roadway. Political campaign signs erected, placed or installed in a public right-of-way shall be removed by a code enforcement officer as designated by the city manager. However, notwithstanding the provisions of this section, persons supporting campaigns may carry and display political campaign signs on public sidewalks in such a manner that does not obstruct others from using the sidewalk or endanger any person or property using the sidewalk. At no time are political campaign signs allowed to be placed on any public sidewalk.~~

- (d) The maximum square footage for a campaign sign located on City-owned property shall be six (6) square feet.
- (e) The City reserves the right to designate any area of city-owned property serving as a polling place as “off-limits” and not available for political campaign sign placement.
- (f) The placement of political campaign signs or advertisements on City-owned property shall be prohibited unless the property serves as a polling place for an election.

SECTION 3. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Resolution. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 4. Savings. The prior actions and activities of the City of Oviedo relating to the comprehensive planning and regulatory programs and actions of the City are hereby ratified and affirmed.

SECTION 5. Codification; Scrivener’s Errors.

(a). Section 2 of this Ordinance shall be codified into the City of Oviedo Code of Ordinances and all other sections shall not be codified.

(b). The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the Code codifier.

(c). Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 6. Conflicts. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 7. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 8. Effective Date. This Ordinance shall become effective immediately upon adoption.

FIRST READING: April 21, 2025

SECOND READING: May 5, 2025

PASSED AND ADOPTED on this 5th day of May, 2025.

MEGAN SLADEK
MAYOR of the City of Oviedo, Florida

ATTEST:

ELIANNE RIVERA
CITY CLERK