

**ORDINANCE NO. 2025-\_\_\_\_**

**AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES BY AMENDING CHAPTER 23, “SIGNS AND ADVERTISING,” ARTICLE III, “SIGNS,” DIVISION 3, “REGULATIONS,” SECTION 23-87, “MURAL APPROVAL PROCESS,” TO UPDATE AND FURTHER CLARIFY THE REVIEW AND APPROVAL STANDARDS AND PROCEDURES FOR MURALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Homestead, Florida (the “City Council”) finds it periodically necessary to amend its Code of Ordinances (the “City Code”) in order to update regulations and procedures to implement municipal goals and objectives; and

**WHEREAS**, the City Council recognizes that murals serve as a form of public art that enhances the City’s visual character and cultural identity; and

**WHEREAS**, Section 23-87 of the City Code of Ordinances currently outlines the maximum permitted size and scale of murals, as well as the review and approval standards and procedures for murals to ensure such installations are compatible with their surroundings and consistent with community standards; and

**WHEREAS**, the City Council finds it necessary to amend Chapter 23, “Signs and Advertising,” Article III, “Signs,” Section 23-87, “Mural Approval Process,” to update and further clarify that murals placed and/or located on City-owned properties shall be exempt from the maximum permitted size and scale established for murals that may be located within the City; and

**WHEREAS**, the City Council has reviewed this Ordinance at a duly noticed public hearing; and

**WHEREAS**, the City Council hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and in the public interest of citizens of this community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, FLORIDA<sup>1</sup>:**

**Section 1. Findings.** The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

**Section 2. City Code Amended.** That Section 23-87, “Mural Approval Process,” of Chapter 23, “Signs and Advertising,” of the City Code of Ordinances is hereby amended to read as follows:

## **Chapter 23 – SIGNS AND ADVERTISING**

\* \* \* \* \*

### **ARTICLE III. SIGNS**

\* \* \* \* \*

### **DIVISION 3. - REGULATIONS**

\* \* \* \* \*

#### **Sec. 23-87. - Mural approval process.**

All murals are to be viewed as public art, not advertising signs and therefore any commercial message contained within the mural shall not be the primary aspect of said mural. A mural shall not exceed five hundred fifty (550) square feet in area, or twenty (20) percent of the total area of the wall upon which it will be painted, whichever is less. Each mural shall be evaluated by the director of development services based on its

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<sup>1</sup> Strikethrough words are deletions to the existing words. Underlined words are additions to the existing words.

appropriateness for its location and immediate environment. All proposed murals shall be reviewed by the director of development services. The director shall issue a written decision to recommend approval or denial of the proposed mural, and the director's recommendation shall then be forwarded to the city manager and placed on the agenda of the next available council meeting for approval or denial. Notwithstanding the foregoing, murals placed and/or located on city-owned properties shall be exempt from the maximum permitted size and scale established for murals that may be located within the city.

\* \* \* \* \*

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

**Section 4. Inclusion in the City Code.** It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the City of Homestead; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 5. Conflicts.** All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

**Section 6. Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_ 2025.

PASSED AND ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor Steven D. Losner

Attest:

\_\_\_\_\_  
ELIZABETH SEWELL, MPA, MMC  
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND BENEFIT OF THE CITY ONLY:

\_\_\_\_\_  
WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.  
City Attorney

Motion to adopt by \_\_\_\_\_seconded by \_\_\_\_\_.

***FINAL VOTE AT ADOPTION***

<i>Mayor Steven D. Losner</i>	_____
<i>Vice Mayor Jenifer N. Bailey</i>	_____
<i>Councilwoman Erica G. Ávila</i>	_____
<i>Councilman Clemente Canabal</i>	_____
<i>Councilman Sean L. Fletcher</i>	_____
<i>Councilwoman Kimberly Konsky</i>	_____
<i>Councilman Larry Roth</i>	_____