

ORDINANCE NO. 1291

AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SEC. 30-107, DEFINITIONS, TO INCLUDE A DEFINITION FOR ANIMATED SIGNS; AMENDING SEC. 30-504 TO INCLUDE ANIMATED SIGNS AS AN ALLOWABLE SIGN; (F), AND AMENDING SEC. 30-506 TO REMOVE ANIMATED SIGNS AS A PROHIBITED SIGN; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, City Council directed staff to evaluate existing sign regulations as they related to signs with changeable fields and texts; and

WHEREAS, staff conducted research and reviewed applicable provisions of the Florida Administrative Code, including Section 14-10, which established State standards for sign illumination and changeable message signs (animated signs) to ensure roadway safety; and

WHEREAS, the current City Code prohibits animated signs, including signs with visual effects, without distinguishing between unsafe displays and regulated, compliant digital signage; and

WHEREAS, the Florida Administrative Code provides clear, enforceable standards governing lighting and changeable message signs that are designed to prevent driver distraction while allowing modern signage technology; and

WHEREAS, the City Council finds that the adoption of this Ordinance, which aligns local regulations regarding animated signs with the regulations set forth in the Florida Administrative Code, will promote clarity, support local businesses, and maintain public safety.

NOW, THEREFORE, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The foregoing recitals are true and correct, and by this reference are incorporated herein.

SECTION 2. Section 30-107, Definitions, Satellite Beach City Code, is hereby amended to add a definition for animated signs to read as follows:

Sec. 30-107, Definitions.

When used in this chapter, the following words and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words not defined in this section or in the

comprehensive plan shall have the meanings in Webster's New Collegiate Dictionary, as revised.

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Sign means any lettering, numerals, characters, logos, or images, and any contiguous lines, shapes, coloration, or border which are painted, attached, or erected in any manner visible from out-of-doors so as to identify or promote any structure, use, product, service, activity, event, or person. A business's trademark colors alone applied to any structure shall not be deemed a sign for purposes of this chapter, as long as such colors are not used to resemble or represent the trademark of the business on the premises. In addition to the signs in Table 1, the types of signs included in this chapter are the following:

Animated sign means ~~any image or sign, except for time and temperature displays, which moves in any manner, uses any lighting which changes color, flashes, alternates, shows apparent movement, or automatically changes the appearance of any part of the sign at a frequency of more than once every 24 hours.~~ a sign that has automatic changeable facing, including a digital sign, but only if such sign complies with the following requirements:

- (a) The sign shall not be illuminated by flashing, intermittent, or moving lights, and shall be designed and maintained so as not to interfere with, obscure or reduce the effectiveness of any official traffic control sign, device or signal;
- (b) The static display time for each message is at least six seconds;
- (c) The time to completely change from one message to the next is a maximum of two seconds or, if messages are displayed digitally, the message must change instantaneously;
- (d) The change of message occurs simultaneously for the entire sign face; and
- (e) Any sign with changeable messages shall contain a default design that will ensure no flashing, intermittent message, or any other apparent movement is displayed should a malfunction occur.

SECTION 3. Section 30-504, Allowed Signs, Satellite Beach City Code, is amended to add a new subsection (f) to allow animated signs to read as follows:

Sec. 30-504. Allowed signs.

Only the following types of signs shall be allowed in the city, and these signs shall be allowed only on-premises:

* * * * *

- (f) **Animated signs.**

SECTION 4. Section 30-506, Prohibited Signs, Satellite Beach City Code, is amended to delete animated signs as a prohibited sign:

Sec. 30-506. - Prohibited signs.

The following types of signs, which are not intended to limit the types of prohibited signs, are specifically prohibited: beacon signs, billboard signs, snipe signs; ~~animated signs~~; A-frame signs; off-premises signs; parked advertising signs; roof signs; swinging signs; bench and shelter signs; portable signs; signs placed on city property; signs which contain statements, words or pictures which are obscene or pornographic; signs that contain untruthful advertising; signs that emit sound, odor or visual effects, including, but not limited to, signs illuminated by flashing, intermittent, or moving lights; signs which are intended, or may be construed, to be traffic signs, signals or warnings; signs which may be confused with the lights of emergency or road-equipment vehicles; signs which hide from view any traffic or street sign, signal or device; signs which would obstruct the view at or around corners, intersections or curves; and signs placed on or over any private property without the written consent of the property owner. In addition, signs without a validly-issued permit and signs deemed by the building official to be a hazard to public safety shall be deemed nuisance signs and shall be prohibited.

SECTION 5. SEVERABILITY CLAUSE. In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected and it will be presumed that the City Council for the City of Satellite Beach did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid and unconstitutional provision thereby causing said remainder to remain in full force and effect.

SECTION 6. REPEAL OF INCONSISTENT PROVISIONS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption.

SECTION 8. This Ordinance was duly passed on first reading at a regular meeting of the City Council on the 3rd day of June, 2026, and adopted on the second and final reading at the regular meeting of the City Council on the ___ day of _____, 2026.

STEVEN L. OSMER, MAYOR

ATTEST:

GWEN PEIRCE, CITY CLERK