

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES CODE BY AMENDING:

- CHAPTER 14, ARTICLE III, SECTION 14-70 “ADVERTISING SIGN REQUIREMENTS”;
- CHAPTER 62, ARTICLE I, SECTION 62-1 “SIDEWALK ADVERTISING; USING STREETS OR SIDEWALKS FOR ADVERTISING PURPOSES”;
- CHAPTER 62, ARTICLE VI, SECTION 62-185 “APPLICATION, CONTENTS”;
- CHAPTER 62, ARTICLE VI, SECTION 62-186 “APPLICATION PERMIT REQUIRED FOR WORK OR COMMERCIAL ACTIVITIES THAT OBSTRUCT OR CLOSE A PUBLIC RIGHT-OF-WAY OR IMPEDE TRAFFIC; PERMIT FOR ASSEMBLIES; PERMIT FOR PARADES; PROHIBITIONS”; AND
- CHAPTER 105, ARTICLE II, SECTION 105-27 “CONDITION OF COMMERCIAL PROPERTY”;

PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Staff is requesting a City Code text amendment to modify the sign regulations to reflect the latest caselaw, and remain in compliance with all requirements of the U.S. Constitution; and,

WHEREAS, the purpose of the sign regulations is to create the framework for a comprehensive and balanced system of sign control, thereby facilitating clear and attractive communication between people and their environment, to control those signs which are intended to communicate to the off-premises general public, and to authorize the use of signs which:

- (1) Enhance the visual environment of the City both day and night.
- (2) Integrate with their surroundings.
- (3) Are high quality in their design, lighting and construction.
- (4) Are expressive of the identity of the community as a whole.
- (5) Are legible under the circumstances in which they are seen.
- (6) Are conducive to promoting traffic safety by preventing visual distraction and providing clear direction.
- (7) Effectively and efficiently communicate in a simple, straightforward and attractive manner; and,

WHEREAS, the City Commission finds and directs that the sign regulations must always be interpreted to be consistent with the requirements of the First Amendment of the U.S. Constitution and all other applicable laws; and,

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on November 10, 2015, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, approved the amendment on First Reading (vote: 5-0).

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The City Code of the City of Coral Gables is hereby amended as follows (changes in ~~strike-through~~ / underline format):

CHAPTER 14 – BUSINESSES

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ARTICLE III. - GOING-OUT-OF-BUSINESS, FIRE SALES AND SIMILAR SALE

* * * *

Sec. 14-70. - Advertising sign requirements.

All signs advertising or announcing a going-out-of-business sale, displayed in a store display window, shall not be any larger than two feet by three feet, and there shall be only one such sign for each such display window, but in no event more than two such signs in any one business establishment, and such sign or signs shall not be pasted or attached to the window but shall be displayed within the display window. Pursuant to Section 5-1901(C)(1)(c) of the Zoning Code, a temporary sign that complies with this Section 14-70 is not subject to the permitting requirements of Division 19 of the Zoning Code.

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CHAPTER 62 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE I. - IN GENERAL

Sec. 62-1. - Sidewalk advertising; using streets or sidewalks for advertising purposes.

It shall be unlawful to use any portion of any street or sidewalk in the city for advertising ~~or display purposes~~, and it shall be unlawful for any person to walk on the streets or sidewalks the city ~~or on public rights of way carrying an advertising or display sign, commonly known as a sandwich sign~~ wearing a human sign, as defined in Article 8, Definitions, of the Official

Zoning Code of the City of Coral Gables.

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ARTICLE VI. - PARADES AND PUBLIC ASSEMBLIES

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Sec. 62-185. - Application, contents.

The provisions contained herein are for review and approvals required of the police chief and special events committee for purposes of conducting a special event, parade or public assembly on or about the public place or public places, as provided herein.

* * * *

(4) The application for a special event, parade or public assembly permit shall set forth the following information, otherwise, the basis for denial of application will be, but will not be limited to, traffic control, street and property maintenance, and/or protection of public health, safety, and welfare:

* * * *

k. A general description of any ~~recording equipment, sound amplification equipment, and a general description of the size and materials of any~~ banners, signs, or other attention-getting devices to be used in connection with the parade or public assembly:

* * * *

q. Assurance that the applicant will cause all booths, stands, signs and any other movable fixtures pertaining to the event to be removed immediately after the special event.

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Sec. 62-186. - Application permit required for work or commercial activities that obstruct or close a public right-of-way or impede traffic; permit for assemblies; permit for parades; prohibitions.

* * * *

(f) The following prohibitions shall apply to all special events, parades and public assemblies, except those listed under section 62-184, necessary for use by a disabled person, honor guard, or color guard approved by the chief of police, and will not apply to spontaneous events, block parties, etc.:

* * * *

(2) It shall be unlawful for any person at any special event, parade, or public assembly to carry or possess any sign, poster, plaque or notice unless such sign, poster, plaque, or notice is constructed solely of a cloth, paper, flexible or cardboard material no greater than one-quarter inch in thickness.

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CHAPTER 105 - BUILDINGS AND BUILDING REGULATIONS

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ARTICLE II. - BUILDING STANDARDS

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Sec. 105-27. - Condition of commercial property.

(a) The exterior of all commercial property shall be maintained so as to prevent deterioration or blight from inadequate maintenance.

(1) All exterior building surfaces shall be free of chipping, pitting, cracking, discoloration, peeling or fading.

(2) ~~All~~ In accordance with Section 5-1902(E) of the Zoning Code, all exterior signs shall be in good repair and free of chipping, pitting, cracking, peeling, fading or discoloration. Lighted signs shall have all lights working.

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SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the City Code, which provisions may be renumbered or re-lettered and the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

SECTION 6. If the City Code’s Tables of Contents, Supplemental History Table or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This ordinance shall become effective upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2015.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

**CRAIG E. LEEN
CITY ATTORNEY**