

1 CITY OF CORAL GABLES, FLORIDA

2
3 ORDINANCE NO. 2009-_____
4

5 AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING
6 ZONING CODE ARTICLE 5, DIVISION 19, ENTITLED "SIGNS",
7 SECTION 5-1909, "CAMPAIGN", BY PROVIDING FOR THE
8 ALLOWANCE OF CAMPAIGN AND POLITICAL SIGNS WITHIN
9 SPECIFIED ZONING DISTRICTS, PROVIDING THE SIZE OF
10 CAMPAIGN AND POLITICAL SIGNS WITHIN SPECIFIED ZONING
11 DISTRICTS, PROVIDING FOR THE LENGTH OF TIME CAMPAIGN
12 AND POLITICAL SIGNS ARE ALLOWED IN THE CITY OF CORAL
13 GABLES FOLLOWING ELECTIONS AND OTHER MISCELLANEOUS
14 PROVISIONS; AND, ARTICLE 8, "DEFINITIONS", BY PROVIDING
15 FOR DEFINITIONS; AND PROVIDING FOR SEVERABILITY,
16 REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.
17

18 WHEREAS, courts have recognized the right of jurisdictions to enact reasonable
19 time, place and manner restrictions related to signs while not restricting the First
20 Amendment rights of groups and individuals wishing to express their views by placing
21 political or campaign signs in their yards, City of Ladue v. Gilleo, 512 U.S. 43, 114 S.Ct.
22 2038 (1994); and
23

24 WHEREAS, the City of Coral Gables recognizes the First Amendment rights of
25 those wishing to express their views on certain issues and candidates; and
26

27 WHEREAS, the City Commission of Coral Gables believes that the manner of
28 erection, location and maintenance of signs affects the public health, safety, morals and
29 welfare of the citizens of Coral Gables; and
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31 WHEREAS, the City Commission of Coral Gables recognizes that the safety of
32 motorists, cyclists, pedestrians, and other users of public streets is affected by the number,
33 size, location, lighting and movement of signs that divert the attention of drivers; and
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35 WHEREAS, the City of Coral Gables Commission wants to promote public safety by
36 avoiding visual clutter, reducing conflicts between and among signs, and requiring removal
37 of signs in a timely manner; and
38

39 WHEREAS, the City Commission of Coral Gables is aware that the size and
40 location of signs, if uncontrolled, may constitute an obstacle to effective fire fighting
41 techniques and police protection; and
42

43 WHEREAS, uncontrolled and unlimited signs may degrade the aesthetic
44 attractiveness of the natural and manmade attributes of the community and thereby
45 undermine the economic value of tourism, visitation and permanent economic growth
46 within the City of Coral Gables.
47

1 **NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF**
2 **CORAL GABLES, FLORIDA THAT:**

3
4 **Section 1.** The recitals and findings contained in the Preamble to this Ordinance are
5 adopted by reference and incorporated as if fully set forth in this Section.
6

7 **Section 2.** The Zoning Code of the City of Coral Gables, Florida is hereby amended by
8 adding the following to Section 5-1909 entitled "Campaign", and adding the following
9 definitions to Article 8, "Definitions" to read as follows:
10

11 *Sec. 5-1909. Campaign and political signs.*

12
13 *A. Campaign and political signs.*

- 14
15 1. *Campaign Headquarter signs shall be permitted in Commercial, Commercial*
16 *Limited, and Industrial zoning districts subject to all of the following conditions:*
17 a. *There shall be no more than one (1) sign per campaign headquarters and may*
18 *only be attached to the primary street frontage of any building which is the*
19 *authorized campaign headquarters for the candidate in question.*
20 b. *It shall include the words "Campaign Headquarters" which shall be clearly visible*
21 *at street level.*
22 c. *The sign shall be of temporary nature and shall not exceed twenty-four (24)*
23 *inches by thirty-six (36) inches.*
24 d. *The maximum height to the top of the sign, including posts, other sign*
25 *membranes or appendages, shall not be more than eight (8) feet above the*
26 *ground.*
27
28 2. *Political signs shall be permitted in Commercial, Commercial Limited, Industrial and*
29 *Special Use Zoning Districts.*
30 a. *There shall be no more than one (1) sign per candidate or ballot issue within one*
31 *(1) building and/or tenant space.*
32 b. *The sign shall not exceed twenty-two (22) inches by twenty-eight (28) inches in*
33 *size.*
34 c. *The sign shall be a minimum of five (5) feet from a public right-of-way.*
35 d. *Such signs shall not be posted, affixed or attached to the window glass, but may*
36 *be displayed within the display window.*
37 e. *In cases where the main part of the building is less than five (5) feet from the*
38 *front property line, the sign may be placed in or upon a front or side door,*
39 *window or elevation of the building.*
40
41 3. *Political signs shall be permitted in Single-Family Residential, Multi-Family 1*
42 *Duplex, Multi-Family 2 District, Multi-Family Special Area and Special Use Zoning*
43 *Districts subject to the all of the following conditions:*
44 a. *There shall be no more than one (1) sign per candidate or ballot issue.*
45 b. *The sign shall not exceed twenty (22) inches by twenty-eight (28) inches in size.*
46 c. *The sign shall be a minimum of five (5) feet from a public right-of-way.*

- 1 d. Such sign shall not be erected or placed closer than five (5) feet to the front
2 and/or side property line.
3 e. In cases where there exists a wall, fence or hedge less than 5' from the property
4 line, the sign may be securely placed on or upon the wall, fence or hedge.
5

6 B. Construction materials and maintenance.

- 7 1. Sign post(s) shall only be constructed of metal, plastic, wood or pressed wood.
8 2. Sign face(s) shall only be constructed of metal, plastic, wood, pressed wood,
9 cardboard or paper.
10 3. All sign(s) shall be maintained and kept in good repair.
11

12 C. Duration. Campaign or political signs may be permitted no earlier than three (3) months
13 prior to the date of election and shall be removed within five (5) days after the election
14 which is the subject matter of such sign except a campaign or political sign that
15 proceeds to a General Election from a Primary Election shall be removed no later than
16 five (5) days after the General Election.
17

18 D. Permits. No permit shall be required for such signs referenced within this section.
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20 E. Prohibited signs.

- 21 1. Signs intended to advocate or be in opposition to any candidate or issue shall not
22 be pasted, glued, printed, painted, affixed or attached by any means whatsoever to
23 the following: parkway, vacant lot(s); utility pole(s); utility pole supports/guy wires;
24 tree(s); light poles; rights-of-way signage; public rights-of-ways and/or surfaces;
25 sidewalk(s); paving surfaces; swales; curbs or any other property of any
26 governmental entity. No candidate signs or placards shall be permitted to be
27 erected or placed upon.
28 2. Signs or sign posts shall not be illuminated or constructed of a reflective material
29 and shall not contain any flags, streamers, movable items, fluttering, spinning,
30 rotating or similar attention attractors or advertising devices.
31 3. Banners, flags, cloth or signs constructed of other similar materials are prohibited.
32

33 F. Penalties.

- 34 1. Signs located on public rights-of-way. Failure to comply with all of the provisions
35 contained within this Section shall cause the sign to be removed. ~~be immediately~~
36 ~~impounded and discarded by the City.~~
37 2. Signs located on private properties. The City may issue a courtesy warning
38 followed by a civil citation if compliance is not achieved.
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40 G. Enforcement. The provisions of this Section shall be enforced by the appropriate city
41 personnel as determined by the City Manager.
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43

44 Article 8 - Definitions

45
46 **Campaign Headquarters** means the center of operations from which a candidate runs
47 his/her campaign.

Campaign sign means a temporary sign designed to influence the passage or defeat of any measure on the ballot or designed to influence voters with respect to the nomination, election, defeat or removal of a candidate from public office at any national, state, or local general or special election.

General Election means an election in which the candidates voted for in the primary election are elected to office.

Political sign means a temporary sign advertising a candidate or candidates for public elective office, or a political party, or signs advocating a particular vote on a public issue decided by ballot at any national, state, local, general or special election.

Primary Election means a preliminary election in which voters select a political party's candidate for a subsequent election.

Section 3. Severability.

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. Repealer.

All ordinances or parts of ordinances in conflict herewith, be and the same, are hereby repealed.

Section 5. Codification.

It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Coral Gables Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. Effective Date.

This ordinance shall become effective immediately upon the date of its adoption by the City Commission.

PASSED AND ADOPTED this _____ day of _____ 2009.

DONALD D. SLESNICK II, MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY