

1                                   **ORDINANCE NO. 2023 - 002**

2                   **AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES,**  
3                   **FLORIDA, AMENDING SECTION 070-110 OF THE TOWN OF**  
4                   **SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE**  
5                   **PERTAINING TO ELECTION SIGNAGE; PROVIDING FOR**  
6                   **CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING**  
7                   **FOR AN EFFECTIVE DATE.**

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9                   **WHEREAS**, the Town Council recognizes the importance of freedom of speech  
10                  and freedom of expression found in election signage; and

11                  **WHEREAS**, the Town Council of the Town of Southwest Ranches (the "Town")  
12                  recognizes that the location and maintenance of election signage affects the public health,  
13                  safety, and general welfare of the residents of the Town, and that in order to preserve  
14                  and to enhance the Town as a desirable community in which to live, a pleasing and  
15                  visually attractive environment is of utmost importance; and

16  
17                  **WHEREAS**, the Town recognizes that the regulation of election signage within the  
18                  Town is a means by which the aesthetics and character of the Town may be maintained,  
19                  and that the uncontrolled and unlimited proliferation of election signage would degrade  
20                  the attractiveness of the rural lifestyle of the Town; and

21                  **WHEREAS**, the Town has deemed it necessary to clarify and to simplify existing  
22                  election signage regulations and to provide additional revisions necessary to ensure the  
23                  delicate balancing of First Amendment and free speech principles while achieving the  
24                  Town's goals of creating a healthy, safe, and attractive environment that does not contain  
25                  excessive clutter and visual distractions throughout the Town; and

26                  **WHEREAS**, the Town Council finds the amendment furthers the goals, objectives  
27                  and policies of the Town's Code of Ordinances, and that it is in the best interest of the  
28                  health, safety, and welfare of its residents.

29                  **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**  
30                  **TOWN OF SOUTHWEST RANCHES, FLORIDA:**

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1           **Section 1: Ratification.** That the foregoing "WHEREAS" clauses are hereby  
2 ratified and confirmed as being true and correct and are hereby made a specific part of  
3 this Ordinance.

4           **Section 2: Text Amendment and Deletion.** Section 070-110 of the Unified  
5 Land Development Code entitled, "Temporary signs" is hereby amended as follows:

6           \* \* \*

7           Sec. 070-110. – Temporary signs

8           (F) Temporary signs, except as herein provided shall be limited to one (1) sign of  
9 each type specified herein for each one thousand (1,000) lineal feet of street  
10 or waterway frontage of a plot, except that:

11           (1) After the qualification of a candidate, ~~One~~ (1) election sign shall be permitted  
12 for each street frontage per plot for each candidate and issue.

13           \* \* \*

14           (L) Election signs and opinion/free expression signs.

15           (1) *Election signs.* Notwithstanding any other provision of this chapter to the  
16 contrary, election signs shall be allowed on private property in all zoning  
17 districts subject to the following limitations as to number, size (area), height,  
18 setback and duration:

19           \* \* \*

20           (e) Duration. Election signs may be placed on a parcel anytime after the  
21 scheduled primary election prior to the Town's general election. In the event  
22 of a special election, election signs may be placed on a parcel anytime after  
23 the candidate qualification period. All election signs ~~no earlier than sixty (60)~~  
24 ~~days prior to an election and shall be removed within ten (10) calendar days~~  
25 following the election that pertains to the candidate or the issue that is the  
26 subject of the election sign. All signs shall be discarded in a proper manner  
27 so as to prevent litter and trash from accumulating within the town.

28           (f) The prohibition contained in this subsection shall in no way apply to election  
29 announcement signs posted by the town, announcing each election to be held  
30 in the town.

31           (g) Election signs shall not be placed upon property without the permission of the  
32 owner of the property or other person in legal control of the property.  
33 Election signs placed upon vacant property shall require a written  
34 authorization signed by the property owner, which shall be submitted to the  
35 Town Clerk prior to the posting of any election sign. Failure to submit written  
36 authorization signed by the property owner shall enable the Town to remove

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1 the improperly placed signage in accordance with the Town's Code  
2 Enforcement procedures.

3 \* \* \*

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5 **Section 3: Conflict.** All Ordinances or parts of Ordinances, Resolutions or parts  
6 of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of  
7 such conflict.

8 **Section 4: Severability.** If any word, phrase, clause, sentence or section of this  
9 Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall  
10 not affect the validity of any remaining portions of this Ordinance.

11 **Section 5: Effective Date.** This Ordinance shall be effective immediately upon  
12 its adoption.

13 **PASSED ON FIRST READING** this 12<sup>th</sup> day of September, 2022 on a motion  
14 made by Council Member Kuczenski seconded by Council Member Hartmann.

15 **PASSED AND ADOPTED ON SECOND READING** this 13<sup>th</sup> day of October,  
16 2022, on a motion made by Council Member Kuczenski and seconded by Vice Mayor  
17 Jablonski.

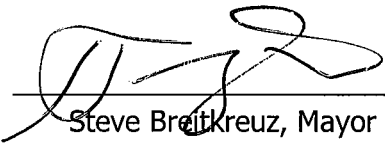
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20 [Signatures on the Following Page]  
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Breitkreuz yes  
Hartmann yes  
Allbritton yes  
Jablonski yes  
Kuczynski yes

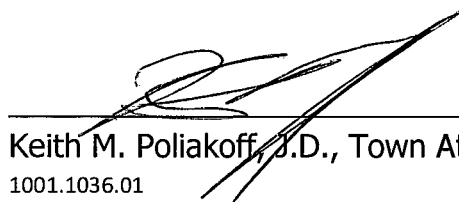
Ayes 5  
Nays 0  
Absent 0  
Abstaining 0

  
Steve Breitkreuz, Mayor

Attest:

  
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

  
Keith M. Poliakoff, J.D., Town Attorney  
1001.1036.01

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