

ORDINANCE NO. 2013 - 007

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING ARTICLE 70. ENTITLED "SIGNS" OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE (ULDC), SPECIFICALLY SECTION 070-030. ENTITLED "PROHIBITED SIGNS," TO CLASSIFY NON-PERMITTED SNIPE SIGNS AS LITTER, AS DEFINED BY SECTION 020-020 OF THE TOWN'S CODE OF ORDINANCES; AUTHORIZING THE PROPER COLLECTION AND DISPOSAL OF THIS FORM OF LITTER IN THE TOWN; PROVIDING FOR INCLUSION IN THE TOWN'S CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 3, 2010, pursuant to Ordinance 2011-01, the Town substantially modified its sign code; and

WHEREAS, although snipe signs are prohibited in the Town, they are routinely illegally placed within the Town's swales; and

WHEREAS, the Town is made up of mostly local residential roadways; and

WHEREAS, the Town's local residential roadways have a finite clear-zone, which is generally a sodded area adjacent to the edge of the asphalt, generally referred to as the Town's swales; and

WHEREAS, the clear-zone has been designed to give a small amount additional room for a motorist to make a corrective maneuver in case of an emergency; and

WHEREAS, in the Town, the clear-zones are also commonly utilized by equestrians for trails; and

WHEREAS, placing non-permitted snipe signs onto the Town's clear-zones places motorists and equestrians in great danger; and

WHEREAS, to help prevent the dangers that the improper placement of these signs can cause, the Town desires to designate non-permitted snipe signs, that have been illegally placed onto the Town's swales as litter; and

WHEREAS, the Town desires to allow any person, who can safely collect and properly dispose of this form of litter, the ability to do so, but urges all persons to allow the Town to make such collections; and

WHEREAS, any person who attempts to collect and to properly dispose of any litter within the Town does so at their own risk; and

WHEREAS, the Town Council believes that this Ordinance is in the best interest of the health, safety, and welfare of the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

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

Section 2: That Section 070-030. Prohibited Signs, of the Town of Southwest Ranches Unified Land Development Code is hereby amended to read as follows:

Sec. 070-030. Prohibited signs.

- (1) Any sign not specifically permitted is prohibited, including, but not limited to, the following signs:
 - (A) Animated signs including revolving or rotating signs;
 - (B) Abandoned signs.
 - (C) Any sign located in a sight visibility triangle.
 - (D) Banner or pennant signs, except as permitted by section 070-120, "Promotional signs";
 - (E) Balloon signs, except as permitted by section 070-120, "Promotional signs";
 - (F) Bench signs;
 - (G) Billboard signs except for any lawfully erected billboard sign permitted by FDOT along any portion of the interstate or federal-aid primary highway system. For the purposes of this provision, the interstate and the federal-aid primary highway system shall mean U.S. 27, I-75 and Flamingo Road;
 - (H) Changeable copy signs, unless specifically provided for herein
 - (I) Electronic copy within or upon a sign; unless specifically provided for herein
 - (J) Exposed neon tubes or bare bulb signs placed in geometric forms to outline structures, or roofs in such a manner as to attract attention.
 - (K) Flags, except as permitted by sections 070-110, "Temporary signs," and 070-120, "Promotional signs";
 - (L) Flashing signs.

- (M) Inflatable balloons displaying advertising, except as specifically provided for herein.
- (N) Murals
- (O) Off-premises signs.
- (P) Painted wall signs.
- (Q) Pole signs;
- (R) Projecting signs;
- (S) Roof signs;
- (T) Sandwich or sidewalk signs, except as permitted by section 070-120, "Promotional signs";
- (U) Snipe signs,
- (V) Strip lighting,
- (W) Trailer signs, except as permitted by section 070-120, "Promotional signs";
- (X) Vehicle signs with a total sign area on any vehicle in excess of ten (10) square feet, when the vehicle:
 - a. Is parked for more than sixty (60) consecutive minutes within one hundred (100) feet of any street right-of-way; or
 - b. Is visible from the street right-of-way that the vehicle is within one hundred (100) feet of; and
 - c. Not in conflict with Section 045-030(C)(4) commercial vehicles.

(2) Non-permitted snipe signs, as set forth in Section 070-030 (1) of this Section, are classified as litter as defined by Section 020-020 of the Town's Code of Ordinances, and may be removed and properly disposed of by any person, who reasonably believes that they can safely remove and dispose of such litter. Any person who attempts to remove and dispose of such litter does so at their sole risk. All persons are urged to contact the Town to allow the Town to initiate such collection instead of attempting to collect the litter themselves.

(3) Any person who places a non-permitted snipe signs onto any property within the municipal limits of the Town, is subject to a citation for violation of the Town's Code and may be further subject to the issuance of a Notice to Appear by the Town of Southwest Ranches Code Enforcement Department or Police Department.

(4) Nothing herein shall preclude authorized Town staff to permit or to install signs that promote a legitimate public or community purpose.

Section 3: Inclusion in the Town Code. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Town of Southwest Ranches Code; and that the sections of this Ordinance may be re-numbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order

to accomplish such intentions. The Town Clerk is hereby authorized and directed to cause said codification.

Section 4: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 5: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 6: Effective Date. This Ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING this 24th day of January, 2013 on a motion made by Council Member Jablonski and seconded by Council Member McKay.

PASSED AND ADOPTED ON SECOND READING this 7th day of March 2013, on a motion made by Council Member Jablonski and seconded by Vice Mayor Breitzkreuz.

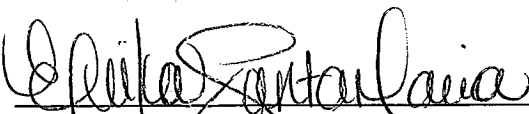
Nelson	<u>YES</u>
Breitzkreuz	<u>YES</u>
Fisikelli	<u>YES</u>
Jablonski	<u>YES</u>
McKay	<u>YES</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>



Jeff Nelson, Mayor

Attest:



Erika Gonzalez-Santamaria, CMC, Town Clerk
Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
ACTIVE: 4532744_1