



Chapter 90 – Zoning

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Article VI. – Signs

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Sec. 90-70. – Sign permits.

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(b) *Exempt signs.* The following signs are allowed and exempt from permit requirements:

- (1) National flag. A flag displayed in a window shall not exceed 20 percent of the window glass area.
- (2) Banners erected by the town including street pole banners.
- (3) Non-illuminated numerical address.
- (4) Open/closed sign suspended behind a glass window or door provided the sign does not exceed one (1) square foot. The sign may be illuminated by white internal illumination. Illuminated signs shall not be allowed to blind intermittently.
- (5) Non-illuminated business hours sign suspended behind a glass window or door provided the sign does not exceed one square foot.
- (6) All temporary signs as provided in section 90-74.
- (7) Menu sign not exceeding two square feet displayed on the wall, window, or front door of a sit-down restaurant within the SD-B40 district only.
- (8) Plastic or metal wall sign not larger than 16 inches in width and five inches in height stating “Managed by \_\_\_\_\_” with the name of the individual, partnership or corporation or equivalent that manages a building.
- (9) Fumigation warning sign as required by the Department of Agriculture and Consumer Services.
- (10) Any sign placed by or erected by the Town.

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Sec. 90-73. – Permanent signs by district.

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(b) *H30, H40, MU and H120 zoning districts.*

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(3) *Permitted signs.*

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Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with **highlighted** ~~double strikethrough~~ and double underline.

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b. *Monument sign.* One monument sign shall be permitted per street frontage. The maximum sign area shall not exceed ~~25~~ 30 square feet. The maximum height shall not exceed ~~five~~ six feet from the ground. Signs shall maintain a five-foot setback from all property lines and no portion shall be permitted to project within this five-foot setback area. Signs are required to be landscaped at the base. Signs may be internally or externally illuminated.

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Sec. 90-75. – Prohibited signs.

No sign shall be erected, constructed, or affixed in violation of the provisions of these regulations, and any sign not specifically provided for and permitted by these regulations shall be prohibited. Except for signs placed by or erected by the Town, ~~None~~ of the following signs shall be erected, constructed, or affixed in the town except as otherwise permitted by the Code:

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Sec. 90-76.1. – Non-conforming signs.

(a) *Sign amortization.* All ~~legally permitted~~ signs requiring a permit from the Town which become non-conforming by the provisions of this Code shall be replaced with a conforming sign within ~~three years~~ one year of the effective date of the ordinance from which this article derives.

(b) Non-conforming signs shall be immediately replaced if any of the following conditions exist during the amortization period.

- (1) There is additional development of a site.
- (2) There is a change in use, occupancy, or tenant.
- (3) There is a change in sign copy (with the exception of window signs).
- (4) There is a structural sign alteration or repair.
- (5) There is sign damage by any cause which exceeds 50 percent of the sign as determined by the building official.
- (6) There is removal of a sign.
- (7) The sign is located in the H30A, H30B and H30C zoning districts.

(c) *Sign relocation.* Non-conforming signs shall not be permitted to be relocated.

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131 **Section 3. Severability.** If any section, sentence, clause or phrase of this  
132 ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction,  
133 then said holding shall in no way affect the validity of the remaining portions of this  
134 ordinance.

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136 **Section 4. Inclusion in the Code.** It is the intention of the Town  
137 Commission, and it is hereby ordained that the provisions of this Ordinance shall become  
138 and made a part of the Town of Surfside Code of Ordinances, that the sections of this  
139 Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word  
140 "Ordinance" may be changed to "Section" or other appropriate word.

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142 **Section 5. Conflicts.** Any and all Ordinances and Resolutions or parts of  
143 Ordinances or Resolutions in conflict herewith are hereby repealed.

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145 **Section 6. Effective Date.** That this Ordinance shall become effective upon  
146 adoption.

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148 **PASSED AND ADOPTED** on first reading this \_\_\_\_ day of \_\_\_\_, 2024.

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150 **PASSED AND ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 2024.

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152 **First Reading:** **Second Reading:**  
153 Motion by: \_\_\_\_\_ Motion by: \_\_\_\_\_  
154 Second by: \_\_\_\_\_ Second by: \_\_\_\_\_

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156 **FINAL VOTE ON ADOPTION**  
157 Commissioner Ruben A. Coto \_\_\_\_\_  
158 Commissioner Nelly Velasquez \_\_\_\_\_  
159 Commissioner Gerardo Vildostegui \_\_\_\_\_  
160 Vice Mayor Tina Paul \_\_\_\_\_  
161 Mayor Charles W. Burkett \_\_\_\_\_

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165 Charles W. Burkett, Mayor

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168 \_\_\_\_\_  
169 Sandra McCready, MMC  
170 Town Clerk

171 Approved as to Form and Legal Sufficiency:

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174 \_\_\_\_\_  
175 Mark Blumstein, Interim Town Attorney

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