

ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 90-73 OF ARTICLE VI. – “SIGNS”, CHAPTER 90 OF THE TOWN CODE, TO AMEND MONUMENT SIGNS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (the “Town”) repealed and replaced its Sign Ordinance by Ordinance 2014-1624 (“Town of Surfside Sign Code”); and

WHEREAS, the Town has set forth limitations pertaining to Monument Signs pursuant to Section 90-73 of the Town of Surfside Sign Code; and

WHEREAS, the Town Commission desires to exempt the Town from regulations pertaining to Monument Signs and otherwise limit their size for all others; and

WHEREAS, to achieve the Town’s objectives, the Town Commission seeks to amend Section 90-73 to exempt the Town from complying with the Town of Surfside Sign Code as it pertains to Monument Signs; and

WHEREAS, the Town Commission finds that amending the foregoing Section of the Town of Surfside Sign Code is in the best interest and welfare of the Town.

NOW, THEREFORE, THE COMMISSION OF THE TOWN OF SURFSIDE HEREBY ORDAINS:

Section 1. Recitals Adopted. The above-stated recitals are hereby adopted and confirmed.

Section 2. Town Code Amended. The Code of Ordinances of the Town of Surfside, Florida is hereby amended by amending Section 90-73(b)(3)b., “Monument Signs”, as follows:

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.

Chapter 90 – Zoning

Article VI. – Signs

* * *

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

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

(3) Permitted signs.

b. Monument sign. One monument sign shall be permitted per street frontage. Except for signs placed by or erected by the Town, ~~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.

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

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 Any and all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

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87 **Section 6. Effective Date.** That this Ordinance shall become effective upon
88 adoption.

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90 **PASSED AND ADOPTED** on first reading this ____ day of ____, 2024.

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92 **PASSED AND ADOPTED** on second reading this ____ day of _____, 2024.

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94 **First Reading:**
95 Motion by: _____
96 Second by: _____

Second Reading:
Motion by: _____
Second by: _____

97
98 **FINAL VOTE ON ADOPTION**
99 Commissioner Ruben A. Coto _____
100 Commissioner Nelly Velasquez _____
101 Commissioner Gerardo Vildostegui _____
102 Vice Mayor Tina Paul _____
103 Mayor Charles W. Burkett _____

104
105 _____
106 Charles W. Burkett, Mayor

107 Attest:
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109 _____
110 Sandra McCready, MMC
111 Town Clerk

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113 Approved as to Form and Legal Sufficiency:
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116 _____
117 Mark Blumstein, Interim Town Attorney

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