ORDINANCE NO. 2023-012

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA AMENDING CHAPTER 21 OF THE TOWN’S CODE OF ORDINANCES, ENTITLED “SIGNS AND ADVERTISING;” AMENDING ARTICLE II, ENTITLED “SIGNS” BY AMENDING DIVISION 1, ENTITLED “COMPREHENSIVE REGULATIONS AND REQUIREMENTS”; AMENDING SECTION 21-19 ENTITLED “PROHIBITED SIGNS;” PROVIDING AN EXCEPTION TO THE PROHIBITION OF ILLUMINATED WINDOW SIGNS; AMENDING SECTION 21-20, ENTITLED “PERMANENT SIGNS,” TO ALLOW ILLUMINATED SIGNS ON WINDOWS AND DOORS ON PROPERTIES ENGAGING IN NONRESIDENTIAL USES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Town Code of Ordinances presently prohibits local businesses from displaying illuminated window signs; and

**WHEREAS,** the Town has received numerous requests from local business owners to amend the Town’s Code of Ordinances to permit local businesses to display illuminated signs indicating that the business is open; and

**WHEREAS,** the City Commission has determined that amending the Town’s Code of Ordinances to allow local businesses to display an illuminated window sign is in the best interest of the residents of Pembroke Park because such changes can cause a positive economic impact to the Town’s economy by helping ensure that local businesses stay open and more residents remain employed; and

**WHEREAS,** the Town’s Planning and Zoning Board recommended approval of the proposed amendments to the Town’s Code at its June 1, 2023 meeting; and

**WHEREAS,** the Town Commission finds the amending the Town’s sign code, as detailed herein, is in the best interests of the citizens and residents of the Town.

 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, THAT:**

 **Section 1.** 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.** Chapter 21 of the Town’s Code of Ordinances, entitled “Signs and Advertising,” is amended by specifically amending Section 21-19 entitled “Prohibited Signs,” under Article II entitled “Signs”, Division 1 entitled “Comprehensive Regulations and Requirements” as follows:

Sec. 21-19. Prohibited signs.

The following are those signs which shall not be permitted within the municipal limits of the Town:

(a) Animated signs;

(b) Sidewalk or sandwich signs;

(c) Snipe signs, with the exception of political signs;

(d) Banner signs, flags or pennants when used for advertising purposes, except as provided in section 21-21;

(e) All signs that contain exposed lighting of any type or have the appearance of one (1) of the above types of light fixtures;

(f) Permanent signs which are illuminated from outside the boundaries of the sign by visible lighting fixtures;

(g) Roof signs;

(h) Billboards; except as provided for in section 21-20(4);

(i) Advertising benches: people shelters or bus shelters; except by municipal contract;

(j) Box or cabinet signs; except as allowed by this article;

(k) Vehicle or trailer signs used on a given location or site in addition to or in lieu of a temporary or permanent sign permitted by this article, unless required by governmental agencies;

(l) Signs located on sides of buildings unless the structure is located on a corner plot or is the structure is located in excess of one hundred (100) feet from the side of the plot line;

(m) Painted wall signs not conforming to section 21-23;

(n) All abandoned signs, sign cabinets, poles, frames, structures and electrical fixtures;

(o) Window signs, when illuminated; except as permitted in Section 21-20(c)3;

(p) Tenant identification signs, except in the interior or shopping centers;

(q) Exposed neon tubes or bare bulb signs placed in geometric forms to outline structures, roofs, windows or doors in such a manner as to attract attention, except as permitted in section 21-20(7).

 **Section 3.** Chapter 21 of the Town’s Code of Ordinances, entitled “Signs and Advertising,” is amended by specifically amending Section 21-20 entitled “Permanent Signs,” under Article II entitled “Signs”, Division 1 entitled “Comprehensive Regulations and Requirements” as follows:

Sec. 21-20. Permanent signs.

 …

 (c) All nonresidential uses:

 …

3. Windows and Doors Signs

a. Hours-of-business sign shall be permitted on a door or adjacent window with letters not in excess of two (2) inches in height and total area not in excess of two (2) square feet.

b. An illuminated and non-animated sign not exceeding two (2) square feet shall be permitted on a door or adjacent window.

 **Section 4.** It is the intention of the Town Commission of the Town of Pembroke Park that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Pembroke Park, Florida, and that the Sections of this ordinance may be renumbered, re‑lettered and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

 **Section 5.** 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 6.** If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the remaining portions or applications remaining in full force and effect.

 **Section 7.** This Ordinance shall become effective upon passage and adoption.

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**PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, ON THE FIRST READING, THIS 13th DAY OF SEPTEMBER, 2023.**

**PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, ON THE SECOND AND FINAL READING, THIS \_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2023.**

ATTEST:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 ASHIRA MOHAMMED

 Mayor

MARLEN D. MARTELL

Town Clerk

Approved as to form and legal sufficiency:

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JACOB G. HOROWITZ

Interim Town Attorney

 VOTE

ASHIRA MOHAMMED \_\_\_\_\_\_

ERIK MORRISSETTE \_\_\_\_\_\_

WILLIAM R. HODGKINS

MUSFIKA KASHEM

GEOFFREY JACOBS