

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA ADDING A NEW SECTION 17-6(26) TO CHAPTER 17 OF THE CODE OF ORDINANCES OF THE TOWN OF CINCO BAYOU, FLORIDA EXEMPTING CERTAIN BANNER SIGNS FROM THE PROHIBITION OF THE ORDINANCE; AMENDING SECTION 17-4 OF CHAPTER 17 OF THE CODE OF ORDINANCES OF THE TOWN OF CINCO BAYOU, FLORIDA PROVIDING FOR ENFORCEMENT OF THE ORDINANCE BY THE TOWN'S CODE ENFORCEMENT BOARD; DELETING SECTION 17-38 OF CHAPTER 17 OF THE CODE OF ORDINANCES OF THE TOWN OF CINCO BAYOU, FLORIDA; PROVIDING FOR SEVERABILITY, REPEALING ORDINANCES INCONSISTENT WITH SAID ORDINANCE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA AS FOLLOWS:

SECTION 1.

That a new Section 17-6(26) is hereby added to Chapter 17 of the Code of Ordinances of the Town of Cinco Bayou, Florida as follows:

SECTION 17-6. EXEMPT SIGNS.

(26) Advertising Banners intended to promote or advertise on-site business or commercial activities of a transitory nature may be attached to a building or to the structure of detached sign or to ancillary equipment in any Business District, not withstanding any contrary provisions of the zoning code. Upon application to the Town Manager, without a fee, a permit for thirty (30) days shall be issued, subject to the following conditions:

- a. A Banner Sign is defined as a sign made of fabric or any non-rigid material, strongly constructed and shall be securely attached to their supports.
- b. Temporary banners shall be not larger than eighty square feet (80 S.F.) in area for each twenty linear feet (20 L.F.) of the main and/or entry frontage of the place of business.
- c. There shall be no more than one (1) temporary banner on any building or property.
- d. No temporary banner of combustible construction shall be allowed.
- e. Temporary banners shall not be hung to cover either partially or completely any door, window or opening required for exit or ventilation.
- f. Temporary banners shall be removed immediately if torn or damaged, or upon order of the authorities, if it is determined placement of such banner or its condition constitutes a health or safety hazard, or upon expiration of the permit.
- g. Banners shall be heavy duty cloth or a vinyl material of thirteen ounce (13 oz.) minimum weight. The banner shall have reinforced three-eighths inch (3/8") hole diameter grommets placed in the center and at thirty-six inches (36") apart center-to-center. The banner shall have at least two (2) wind slits cut for every two and one half feet (2-1/2')

- h. No banner shall be erected on public right-of-ways or within required zoning set-back lines.
- i. In no event shall more than one (1) permit be issued for any one building or site during any two (2) month period.
- j. Liability insurance shall be maintained during time of permit.

SECTION 2.

That Section 17-4 of Chapter 17 of the Code of Ordinances of the Town of Cinco Bayou, Florida is hereby amended to read as follows:

SECTION 17-4. PROHIBITED.

No sign shall be installed, erected, or constructed in violation of any of the terms of this Code. No sign shall be erected or maintained that is insecure or in danger of falling, or otherwise unsafe.

SECTION 3.

That Section 17-38 of Chapter 17 of the Code of Ordinances of the Town of Cinco Bayou, Florida is hereby deleted.

SECTION 4.

SEVERABILITY. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not effect the validity of the remaining portion thereof.

SECTION 5.

REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS. All ordinances and resolutions of the governing body in conflict herewith are hereby repealed.

SECTION 6.

EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the Town Council and signature of the Mayor.

ADOPTED this 5th day of February, 1991.

Approved:



By: 
Charles R. Laginess
Mayor

ATTEST:


Albert S. Borchik, Jr.
Town Manager/Clerk