

https://library.municode.com/fl/polk_city/codes/code_of_ordinances?nodeId=13417

Chapter 54 - SIGNS^[1]

Footnotes:

--- (1) ---

Cross reference— Buildings and building regulations, ch. 22; planning, ch. 50; streets, sidewalks and other public places, ch. 62; land use regulations, pt. III.

State Law reference— Sign ordinances, F.S. § 166.0425.

ARTICLE I. - IN GENERAL

Sec. 54-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Off-site (off-premises) commercial sign means a permanently mounted sign which advertises or identifies a commercial activity which is not located on the same parcel or lot as the business to which such sign refers.

On-site (on-premises) commercial sign means a permanently mounted sign which advertises or identifies a commercial activity which is located on the same parcel or lot as the business to which such sign refers. For the purposes of this chapter, a sign identifying an industrial facility or activity shall also be included in this definition.

Portable sign means a sign which is designed to be transported by a trailer on its own wheels, even though the wheels may be removed and the remaining chassis or support structure is converted to an "A" or "T" frame sign and attached temporarily or permanently to the ground.

Sign means any writing, pictorial presentation, number, illustration or decoration, flag, banner or pennant, or other device which is used to announce, direct attention to, identify, advertise or otherwise make anything known. This term shall not be deemed to include the term "building" or "landscaping," or any architectural embellishment of a building which is not intended to communicate information.

Temporary sign means a sign which is not permanently mounted on a support structure and intended to permanently remain at the location. Temporary signs are often illegally located in relationship to setback and site clearances.

(Ord. No. 98-1, art. 9, 3-3-1998)

Cross reference— Definitions generally, § 1-2.

Sec. 54-2. - Inconsistencies in relationship to building or electrical code.

The sign regulations set forth in this article are intended to complement the requirements of the adopted building and electrical codes of the city. In case of an inconsistency between this chapter and the building or electrical code, the more stringent requirement shall apply.

(Ord. No. 98-1, art. 4, § 4.01.00, 3-3-1998)

State Law reference— The Florida Building Code, F.S. § 553.73.

Sec. 54-3. - Variances.

Variances to the provisions of this chapter may be allowed by the board of adjustment when, as a result of special conditions, a literal enforcement of the provisions of this chapter will, in an individual case, result in unnecessary hardship; however, a variance shall not be given to permit the erection or construction of a billboard.

(Ord. No. 98-1, art. 4, § 4.07.00, 3-3-1998)

Sec. 54-4. - Permits required; fee.

- (a) *When required.* A freestanding sign exceeding eight square feet in area, or a roof, projected or lighted sign shall not be installed or constructed after March 3, 1998, until a permit has been obtained for such sign from the development director, upon payment of the normal fee for building permits as established by the city.
- (b) *Contents of permit application.* Applications for sign permits shall be accompanied by an accurate drawing, to scale, showing the:
 - (1) Copy to be displayed;
 - (2) Height;
 - (3) Sign dimensions;
 - (4) Construction details;
 - (5) Electrical plan; and
 - (6) Distance to the property lines and/or buildings in respect to the location of the proposed sign.

(Ord. No. 98-1, art. 4, § 4.08.00, 3-3-1998)

Secs. 54-5—54-40. - Reserved.

ARTICLE II. - REGULATION

Sec. 54-41. - Exemptions.

The following signs shall be exempt from the requirements of this article and the requirement that a permit be obtained for the erection of permanent signs, provided, such signs shall not be placed or constructed so as to create a hazard of any kind:

- (1) Signs which are not designed or located so as to be visible from any street or adjoining property.
- (2) Signs of four square feet or less, and which do not include letters, symbols, logos or designs in excess of two inches in vertical or horizontal dimension, provided, such signs, or combination of such signs, do not constitute a sign prohibited by section 54-42.
- (3) Signs which are necessary to promote health, safety and welfare, and other regulatory, statutory, traffic control or directional signs erected on public property.
- (4) Legal notices and official instruments.
- (5) Holiday lights and decorations.
- (6) Memorial signs or tablets containing names of buildings, dates of erection and other information when inscribed in a masonry surface or metal plaque and permanently affixed to the side of a building.
- (7) Public warning signs which indicate the dangers of trespassing, swimming, animals or similar hazards.
- (8) Signs carried by persons.
- (9) Religious displays.
- (10) Construction signs which do not exceed 32 square feet in size.
- (11) Real estate yard signs which do not exceed four square feet in size in residential districts, or 32 square feet in size in nonresidential districts.
- (12) Signs indicating yard or garage sales, provided, such signs are removed within 48 hours.
- (13) Political signs placed 30 days prior to the election, and such signs shall be taken down within 15 days after the election. The candidate shall post a bond of \$150.00 prior to the posting of such political signs, which deposit shall be returned 30 days after the election if all of the signs have been taken down.

- (14) Historic identification signs affixed to a building.
- (15) The flag of the United States or the state.
- (16) Signs erected by the city which identify festival days or events.

(Ord. No. 98-1, art. 4, § 4.02.00, 3-3-1998)

Sec. 54-42. - Prohibited signs.

The following types of signs shall be prohibited in all districts within the city:

- (1) An off-premises sign placed on private property.
- (2) Signs which are in violation of the adopted building or electrical codes.
- (3) Any sign that, in the opinion of the development director, constitutes a safety hazard.
- (4) Temporary signs, blank temporary signs or portable signs.
- (5) Signs imitating or resembling official traffic or government signs or signals, such as signs designated "stop," "look," "danger," or any similar word, phrase or symbol.
- (6) Signs attached to or painted on trees, telephone poles, streetlights, benches, bus shelters or waste receptacles, or signs placed on any public property or right-of-way.
- (7) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying such sign. This shall not apply to signs or lettering on buses, taxis or vehicles operating during the normal course of business.
- (8) Any sign obstructing traffic visibility.
- (9) Signs with illuminated, moving, revolving or rotating parts causing traffic hazards, except trademark signs at least 12 feet in height and rotating at no more than two revolutions per minute and, illuminated signs of such intensity or brilliance as to cause glare or impair the vision of motorists, cyclists or pedestrians using or entering a public right-of-way, or that are a hazard to occupants of any property because of glare or other characteristics, including signs incorporating projected images.
- (10) Signs emitting an odor, smoke, steam or any sound that is intended to attract attention, or involves the use of live animals.
- (11) Strings of lightbulbs used on commercially developed parcels for commercial purposes, other than traditional holiday decorations.
- (12) Signs consisting of one or more banners, flags, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move in the wind.
- (13) Signs which obstruct the vision of pedestrians, cyclists or motorists traveling on or entering public streets.
- (14) Signs within ten feet of a public right-of-way.
- (15) Signs within 100 feet of traffic control lights that contain red or green lights which may be confused with traffic control lights.
- (16) Searchlights used to advertise or promote a business or to attract customers to a property.
- (17) Signs erected over or across any public street.
- (18) Signs placed or constructed within eight feet of a power line in any direction.
- (19) Signs containing an indecent or immoral message or which, by its shape, construction or character, is considered to be indecent or immoral.
- (20) Billboards, except when located on the same site as the business being advertised; however, a variance shall not be given to permit the erection or construction of a billboard.

(Ord. No. 98-1, art. 4, § 4.03.00, 3-3-1998)

Sec. 54-43. - Billboards prohibited.

All billboards are prohibited in areas which are annexed to the city, and shall be removed in accordance with the following procedure:

- (1) Any billboard which lawfully exists on property annexed to the city after the date of the adoption of this Code shall be subject to all requirements of this article.
- (2) In instances in which a permit for the erection of a billboard was previously issued and such permit remains valid at the date of annexation, the holder of such permit shall have 30 days from the date of annexation to establish to the satisfaction of the development director that the permit holder has made financial commitments, such as the lease or purchase of a proposed sight, purchase of necessary construction materials, etc., prior to the date of annexation and in reliance on the permit. Upon the failure of a permit holder to establish such reliance, the permit shall become null and void, and the billboard may not be erected.
- (3) The owner of any billboard existing on the date of annexation shall have six months to establish to the satisfaction of the development director that the billboard was lawfully permitted and in compliance with the applicable laws and ordinances when it was constructed or had existed as a lawful nonconforming billboard under the provisions of the county or other local government sign ordinance. The city clerk shall maintain a register of all such billboards in lawful existence at the time of annexation, which billboards shall be subject to the removal requirements set forth in this section. At the end of the six-month period, all other billboards shall be immediately removed.
- (4) All billboards in lawful existence on the date of annexation shall be removed within seven years (the amortization period) from the date of annexation.
- (5) A lawfully erected billboard shall not be reestablished after damage or destruction of the billboard if the estimated expense of reconstruction or repair of the billboard exceeds 50 percent of the reproduction and installation costs of the billboard.

(Ord. No. 98-1, art. 4, § 4.03.01, 3-3-1998)

Sec. 54-44. - Permitted signs.

The following signs shall be permitted within the city, subject to the standards provided in this section:

- (1) *Signs in residential areas.*
 - a. *Neighborhood identification signs.* Nonilluminated ground or wall signs identifying a neighborhood for residential areas shall be allowed. Such signs shall be allowed at major entranceways, but not more than one sign shall be located at each entranceway. Multifamily housing developments may have one identification sign per street frontage. Such signs may be ground or wall signs. The only form of artificial illumination allowed shall be indirect illumination. Identification signs shall be limited to one square foot of area per dwelling unit, up to a maximum of 30 square feet.
 - b. *Churches and religious buildings.* On-site commercial signs shall be permitted accessory to church or religious buildings on property zoned for such use.
 - c. *Home occupation signs.* Only one sign, not exceeding four square feet in area, nonilluminated and mounted flat against the wall or principal building shall be allowed for home occupations.
- (2) *On-site signs for commercial or industrial businesses.* On-site signs for commercial or industrial businesses shall be permitted accessory to commercial and industrial structures on property zoned for such uses.
 - a. *Number of signs permitted.* For each frontage of 75 feet to 250 feet on a publicly maintained road, one sign shall be permitted near the right-of-way, and one sign shall be permitted

attached to the building. For parcels having 250 feet or more of frontage on a single road, an additional sign per entrance shall be allowed, and shall be located near the entrance.

- b. *Small lots.* Businesses with less than 75 feet of street frontage shall be permitted only one sign, mounted on the building.
- c. *Corner lots.* Lots or parcels situated at intersections shall be permitted to have one additional sign for up to 250 feet of street frontage, and one additional sign if there is more than 250 feet of street frontage, which signs shall be placed on the second street. In addition, one more sign may be mounted on the building facing the second street.
- d. *Through lots.* Through lots shall be permitted an additional sign which shall be mounted on the back of the building.
- e. *Design standards for affixed signs.* Commercial signs which are affixed to a building shall be limited to 36 square feet in size, and shall be included in the limit of two signs per lot. A sign protruding above the roof of a structure may not extend more than 18 feet above the ground, as measured from the finished grade at the base of the structure to the highest point of the sign, or from the supporting structure, whichever is higher.
- f. *Design standards for freestanding signs.* Except as otherwise provided in this section, on-site commercial signs shall be a maximum of 48 square feet in size and 18 feet in height. All freestanding signs shall be set back ten feet from any property line and shall not extend over a public street.

(Ord. No. 98-1, art. 4, § 4.04.02, 3-3-1998)

Sec. 54-45. - Maintenance.

- (a) *Generally.* All signs within the city, including their supports, braces, guys and anchors, electrical parts, lighting fixtures, painted and display areas and all landscaped areas that are part of a sign shall be maintained in accordance with the building and electrical codes adopted by the city, and shall present a neat and clean appearance.
- (b) *Grounds.* The vegetation around, in front of, behind and underneath the base of ground signs, for a distance of ten feet, shall be neatly trimmed and free of unsightly weeds, and no rubbish or debris which would constitute a fire or health hazard shall be permitted under or near the sign.
- (c) *Notice.* All signs shall be properly maintained. If a sign has not been maintained, the owner of such sign shall have 60 days after notification by the code enforcement officer in which to restore the sign to a properly maintained condition. If the sign owner fails to so restore the sign after such 60-day notice, the city may, at the owner's expense, cause the sign to be removed and disposed of.

(Ord. No. 98-1, art. 4, § 4.05.00, 3-3-1998)

Sec. 54-46. - Time limits for removal.

- (a) *Special event signs.* All signs concerning civil, religious, education, public or private events shall be removed within ten days after the conclusion of the event.
- (b) *Political signs.* All political campaign signs shall be removed within 30 days of the final election for the office for which the candidate shown on the sign is running.
- (c) *Conformance time limit.* All signs in existence at the time of adoption of this Code shall be considered to be legal signs. If a sign does not meet any one requirement of this article, rendering the sign nonconforming, the sign shall be altered in order to conform with this article by March 3, 2005.
- (d) *Closing or moving of a business.* All on-site premises signs shall be removed from the premises upon which they are located within 30 days after the date of the closing or moving of a place of business from the premises.

(Ord. No. 98-1, art. 4, § 4.06.00, 3-3-1998)