a Permit to be issued for a Sign, accompanied by an application fee equal to the fee required to obtain a Sign Permit to be applied against the actual or reasonably anticipated expenses associated with the application. Such an application need only describe in detail the type of Sign desired, but it may also set forth the rational for allowing that type of Sign and whether a Permit should be required. If the City has not begun drafting an amendment to the Sign Code to Permit that type of Sign, with or without a Permit, within twenty (20) days following receipt of the application and fee, and adopted such an amendment within sixty (60) days following receipt of the application and fee, a rebuttable presumption will that the City intends to prohibit the Sign. If the Sign is allowed by Permit, no additional fee shall be required.

II. Digital Light Show
(Ord. # 1244, 12-13-12)

5.07.05 General Sign Standards.
The following general Sign standards shall apply to all Signs within the City. It shall be unlawful for any person to Erect, display, or allow to be Erected or displayed within the City any Signs in violation of any of these standards.

A. No Sign shall be established closer to a Street than the Building setback line except that (i) any otherwise permissible On-Premises Sign in a Business District which is open and does not obstruct visibility from the ground to nine (9) feet above the ground, and (ii) any otherwise permissible Sign in a Residential district which is less than five feet in Height, may be established as close as five (5) feet from the property line. No portion of any Sign may be placed on, or extended over, the right-of-way line of any Street or public, pedestrian right of way.

B. The vertical edges of all Back-to-Back Signs (that is the vertical surface generally perpendicular to any Face of such Sign) shall be covered and finished with a permanent, opaque material so that no portion of the Sign Structure will be visible between the Faces of the Sign.

C. The back of all Free-Standing Signs and all visible portions of a Free-Standing Sign Structure shall be covered or finished with a permanent, opaque material.

D. All Signs shall be constructed in accordance with the applicable Building and electrical codes.

E. The minimum lowest point ground clearance on all Free-Standing Signs shall be either less than two (2) or more than nine (9) feet, so as to either prevent or allow persons to walk under or through the Sign or Sign Structure.

F. Sign Height shall not exceed the Building Height limitation of the Area or district in which the Sign is located. Additionally, no Off-Premises Free-Standing Sign shall exceed fifty (50) feet in Sign Height. No Monument Sign shall exceed twenty (20) feet in Sign Height. Further, no On-Premises Free-Standing Sign shall exceed twenty-five (25) feet in Sign Height, except that a Free-Standing On-Premises Sign located on any Premises lying in whole or in part within one hundred (100) feet of the nearest right-of-way of the Streets listed below shall have a Sign Height not exceeding the respective number of feet shown:
5. Standards for Special Situations

1. Thomas Drive, South Thomas Drive and Front Beach Road: fifty (50) feet.

2. North Lagoon Drive, Joan Avenue, Clarence Street, Beckrich Road, Alf Coleman Road, Lyndell Lane, Clara Avenue, Hill Road, Powell Adams Road, and State Road 79: thirty-five (35) feet.

3. Panama City Beach Parkway (Back Beach Road) and Hutchinson Boulevard (Middle Beach Road): Twenty (20) feet.

G. All Free-Standing On-Premises Signs located on any Premises lying in whole or in part within one hundred (100) feet of the right of way of Panama City Beach Parkway (Back Beach Road) or Hutchinson Boulevard (Middle Beach Road) shall be Monument Signs.

H. All Signs and Structures for which a Permit is required by this Sign Code, including their supports, braces, guys and anchors, shall be maintained so as to present a neat and clean appearance. Painted areas and Sign surfaces shall be kept in good condition, and illumination, if any, shall be maintained in safe and good working order.

I. The general Area in the vicinity of any Free-Standing Sign must be kept free and clear of Sign materials, debris, trash and other refuse, and weeds and grass shall be kept neatly cut.

J. If illuminated, non-LED Signs shall be illuminated only by the following means:

1. By white, steady, stationary, electric light of reasonable brightness and intensity, shielded and directed solely at the Sign. No illuminated Sign shall cast light to exceed four tenths (.4) maintained foot candle luminance in a Residential zoning district. Any light from an Internally Illuminated Sign shall not exceed ten (10) foot candles maintained luminance measured at a distance of ten (10) feet from the Sign. These standards shall not be interpreted or enforced to prevent persons of ordinary sensibilities viewing the Sign from perceiving its expression.

2. Any light from an Externally Illuminated Sign or floodlight used to illuminate a Sign shall be shaded, shielded, or directed so that the light intensity or brightness shall not interfere with the safe vision of motorists, or bicyclists.

3. No Sign shall be so illuminated that it interferes with the effectiveness of, or obscures an official traffic Sign, device or Signal.

4. An Illuminated Sign shall have a disconnecting switch located in accordance with the provisions of the National Electric Code.

5. An Illuminated Sign shall require both a Sign Permit and an electrical Permit prior to installation.

6. Neon tubing, string lights, or other similar devices used to outline any Building or in Sign design shall be restricted to two (2) linear feet for each foot of Frontage of the Premises on which the Building or Sign is located. Display of neon tubing shall be limited to the maximum of two (2) parallel lines of neon tubing.
K. A LED Sign shall:

1. Have an auto-sensor regulating its illumination to follow changes in ambient light.

2. Not exceed a maximum luminance intensity of seven thousand (7000) nits (candels per square meter) during daylight hours and a maximum luminance of five hundred (500) nits between fifteen minutes after sunset and fifteen minutes before sunrise as measured from the Sign Face at maximum brightness. This standard shall not be interpreted or enforced to prevent persons of ordinary sensibilities viewing the Sign from perceiving its expression.

3. Not interfere with the effectiveness of, or obscure an official traffic Sign, device or signal.

4. Not be Externally Illuminated, including a Sign that is only partially LED.

5. Have a disconnecting switch located in accordance with the provisions of the National Electric Code.

6. Require both a Sign Permit and an electrical Permit prior to installation.

L. No Sign shall be Erected or displayed near a Street, driveway or bicycle path intersection so as to obstruct the view of pedestrian or vehicular traffic and constitute a hazard. No Sign shall obstruct, conceal, hide or otherwise obscure from view any Traffic Control Device Sign or official traffic signal.

M. Each horizontal dimension of the base or berm of a Monument Sign shall not exceed 150% of the corresponding horizontal dimension of the Sign Face or cabinet. The Height of the base or berm of a Monument Sign shall be included in the Monument Sign Height.

N. Notwithstanding any impression in this Sign Code to the contrary, any Sign Erected or entitled to be Erected pursuant to the provisions of this Sign Code as a Commercial Off-Premises or a Commercial On-Premises Sign may, at the option of the owner or person entitled to control the Copy of such Sign, contain a Non-Commercial Message in lieu of a Commercial Message and Non-Commercial Copy may be substituted at any time in place of Commercial Copy. The Non-Commercial Message (Copy) may occupy the entire Sign Face or any portion thereof. The Sign Face may be changed from Commercial to Non-Commercial Messages and back, or from one Non-Commercial Message to another Non-Commercial Message, as frequently as desired by the owner or person entitled to control the Copy of the Sign, if the Height, size, location, setback and other dimensional criteria contained in this Sign Code are satisfied.

O. Notwithstanding any impression in this Sign Code to the contrary, no Sign or associated Sign Structure shall be subject to any limitation based upon the content (viewpoint) of the message contained on such, except the prohibition of obscene Signs.

P. The substantive requirements of this Sign Code shall apply to the City and any other governmental body Erecting or maintaining a Sign within the City.
Q. A Multi-Vision Sign must meet each of the following requirements:

1. Neither the Sign nor any Face of the Sign shall contain any moving or animated part or moving or Flashing light or gives the appearance of animation or movement;

2. The entire Face shall appear and disappear uniformly and simultaneously. LED Sign Copy shall not fade-out or fade-in, or appear or disappear in any pattern, spiral or movement, or migrate from a side, top or bottom.

3. The Face is everywhere more than nine feet (9') above ground;

4. The change of display shall occur simultaneously for the entire Face;

5. The Sign shall contain a default design that will freeze the device in one Face if a malfunction occurs;

6. Each Face shall remain static or fixed for at least six (6) seconds;

7. The time to complete the change from one Face to the next is a maximum of two (2) seconds for digital technology and three (3) seconds for mechanical louvers.

5.07.06 Off-Premises Sign Standards

The following Off-Premises Signs may be Erected and displayed in Business Districts pursuant to a Permit:

A. All Off-Premises Signs lawfully classified as Non-Conforming Signs on the effective date of this section 5.07.06 as revised (September 10, 1998) are hereby declared to be Legal Off-Premises Signs and deemed to have been Erected and entitled to be displayed pursuant to a Permit.

B. The total number of Legal Off-Premises Signs (sometimes called Off-Premises Signs) within the City (including but not limited to previously Non-conforming Off-Premises Signs which were reclassified by this section 5.07.06 as revised on September 10, 1998) shall not exceed the total number in existence or lawfully Permitted by the City on the effective date of the "cap and replace" revisions to this section 5.07.06 (September 10, 1998), and may be less. Should the number of Off-Premises Signs ever decrease, as provided below, it shall not thereafter be increased.

C. The maximum Area for any one Off-Premises Sign Face shall be four hundred (400) square feet. The maximum aggregate Area of all Double-Faced Sign Faces visible from any one point shall be four hundred (400) square feet.

D. Sign Statuary incorporated in or associated with an Off-Premises Sign shall be included in the Area of such Sign by measuring a two-dimensional view of the Sign Face, and the Area of such Statuary as so measured may not exceed one-third (1/3) of the Area of the Sign.

E. No Off-Premises Sign or associated Sign Structure may be increased in size or Height. Each Off-Premises Sign and any associated Sign Structure may be maintained, repaired and replaced in the same location, and the Copy thereof
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changed, at any time. Adding one or more alternating Faces to the Face of an existing Off-Premises Sign through any mechanical, electronic or other automated means so as to create a Multi-Vision Sign, or increase the number of Faces on an existing Multi-Vision Sign, is declared to be an enlargement which is not Permitted, except as expressly provided in the following paragraph F of this section as the result of a Lost Sign that is not replaced as a Free-Standing Sign.

F. Lost Off-Premises Signs (Cap and Replace).

1. A Lost Sign is any Off-Premises Sign or associated Sign Structure that is voluntarily or involuntarily removed from service in whole or in part because such Sign or Sign Structure:

   (a) Is dismantled, taken down, removed, or covered or obscured in majority part for a period of sixty (60) days in any ninety (90) day period, or

   (b) Is damaged by fire, wind, flood or other sudden casualty and the cost to paint and repair such Sign (including the Sign Structure) equals or exceeds fifty percent (50%) of the cost to replace such Sign.

2. Lost Signs are Illegal Signs and, together with any associated Sign Structure, shall be removed as provided in section 5.07.09 of this Sign Code. In the event that two Off Premises Signs within one thousand five hundred (1,500) feet of each other are so removed from service at substantially the same time or by reason of materially the same event, the older Sign shall be given priority to rebuild at the same location if that is an option.

3. The owner of a Lost Sign or the owner's assignee, but no other, shall be entitled to replace the Lost Sign with a new Free Standing Sign elsewhere in the City, provided:

   (a) Such Lost Sign and any Associated Sign Structure have been removed at no public expense, and

   (b) Such replacement Sign is no larger or higher than the Lost Sign it is replacing and contains the same or lesser number of Faces which are the same or smaller in size than the corresponding Faces of the Lost Sign it is replacing (notwithstanding the foregoing, the City Council may grant a variance to Permit or require such replacement Sign to be Erected or displayed higher than the Lost Sign it is replacing—but not to exceed the maximum allowed by law—whenever a literal enforcement of the transferred Height limitation would result in an unnecessary hardship on the owner of the replacement Sign or the owners of property adjoining the replacement Sign), and

   (c) Such replacement Sign is Erected or displayed within no less than one thousand five hundred (1,500) feet of any other Legal Off-Premises Sign measured on the same side of the Street or Streets connecting them as set forth below (notwithstanding the foregoing, such distance requirement shall be reduced by such amount not to exceed one hundred twenty-five (125) feet as is necessary to place such Sign one hundred twenty-five (125) feet from an Area zoned for Residential Use, and
(d) Such replacement **Sign** is located not less than one hundred twenty-five (125) feet from any **Area** zoned for **Residential Use**, and

(e) Such replacement **Sign** is not located, in whole or in part, in the **Area** south of the centerline of Front Beach Road (scenic highway 98), South Thomas Drive or Thomas Drive or within seventy-five (75) feet of the northerly right-of-way line of said road or drive (measured horizontally from a vertical line intersecting such right-of-way line), and

(f) The fee is paid and a **Permit** is issued for the **Erection** and display of such replacement **Sign**, and such replacement **Sign** complies with this **LDC**, all applicable **Building** codes and all other applicable state and local laws, and

(g) Such replacement, **Free-Standing Sign** is constructed and fully operational within twelve (12) months after the **Lost Sign** was removed from service. In the event that a **Lost Sign** is not timely replaced, the total number of **Off-Premises Signs Permitted** in the **City** shall be reduced by one (1)

4. As an alternative to replacing a **Lost Sign** with a new **Free-Standing Sign**, the owner of a **Lost Sign** or the owner’s assignee, but no other, shall be entitled to add one (1) alternating **Face** to the **Face** of an existing, Legal **Off-Premises Sign** (either an existing **Multi-Vision Sign** or a **Multi-Vision Sign** resulting from such addition) for each **Face** of the **Lost Sign**, provided:

(a) Such **Lost Sign** and any associated **Sign Structure** have been removed at no public expense, and

(b) The aggregate square footage of each **Face** added is no larger than the **Face** it is replacing, and

(c) The existing or resulting **Multi-Vision Sign** is not located in whole or in part, in the **Area** south of the centerline of Front Beach Road (scenic highway 98), South Thomas Drive or Thomas Drive, and

(d) The fee is paid and a **Permit** is issued for each **Face** added to an existing or resulting **Multi-Vision Sign**, and such **Sign** complies with this **LDC**, all applicable **Building** codes and all other applicable state and local laws, and

(e) The **Face** is registered with the **City** in writing, and a receipt for such registration is obtained from the **City**, no later than sixty (60) days after the **Lost Sign** from whence it came was voluntarily or involuntarily made no longer available for service, after which sixty (60) day period the right to add the **Face** to an existing or resulting **Multi-Vision Sign** shall terminate.

G. The distance between **Off-Premises Signs** shall be the shortest distance measured along the nearest edge of the pavement (or right of way where there is no pavement) between points directly opposite the center of each **Sign** and along the same side of the **Street** or **Streets** connecting them. Each **Sign** shall be deemed connected to the other by the **Street** whose centerline is nearest the center of the
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Sign. The minimum distance requirement shall apply only to Off-Premises Signs located on the same side of the Street or Streets connecting them.

H. In the event that any Off-Premises Sign shall become an Abandoned Sign or a Dilapidated Sign, then such Sign shall become an Illegal Sign and, together with any associated Sign Structure, be removed as provided in section 5.07.09 of this Sign Code, and the total number of Off-Premises Signs Permitted in the City shall be reduced by one (1) and neither a replacement Sign nor additional, alternating Face on an existing Sign shall be Permitted.

I. Notwithstanding section 5.07.06B, the total number of Off-Premises Signs Permitted within the City shall be increased by the number of Off-Premises Signs located upon unincorporated territory annexed into the City after the effective date of this section 5.07.06, as revised (September 10, 1998), and each such Sign shall be treated as any other Off-Premises Sign within the City provided that it was in full compliance with all applicable Bay County zoning and Sign regulations at the time of annexation. Conversely, the total number of Off-Premises Signs Permitted within the City shall be decreased by the number of Off-Premises Signs located upon incorporated territory that is de-annexed into Bay County, Florida.

5.07.07 On-Premises Sign Standards

The following On-Premises Signs may be Erected and displayed in Business Districts pursuant to a Permit:

A. Free-Standing Signs:

1. Each Premises in a Business District (except a Premises within a Shopping Center) is Permitted one (1) Free-Standing, On-Premises Sign with an aggregate Sign Area not exceeding three hundred (300) square feet or two (2) square feet for each linear foot of Frontage of that Premises, whichever is smaller.

2. Each Premises in a Business District with more than four hundred feet of Frontage and each Corner Premises in a Business District shall be Permitted a second Free-Standing On-Premises Sign meeting the requirements of subsection (a) of this section. This subsection shall not apply to a Shopping Center.

3. If an applicant in this category waives the right to have any Free-Standing Sign, the applicant shall be Permitted to exceed the Building Sign limitations provided elsewhere in this Sign Code by fifty percent (50%) of each such limitation.

4. The aggregate Sign Area of a Free-Standing Sign shall be measured as follows:

(a) If the Sign contains three or less cabinets or modules, a separate polygon with no more than eight straight sides will be drawn around and enclose the perimeter of each cabinet or module and the Sign Area will be the sum of the Area of all the polygons.

(b) If the Sign contains more than three cabinets or modules, a single polygon with no more than eight straight sides will be drawn around and enclose
the perimeter of all cabinets and modules and the Sign Area will be the Area of the polygon.

(c) Where any two cabinets or modules are not everywhere a minimum of twenty-four (24) inches distant from each other, they must be considered a single cabinet or module.

(d) Where two cabinets or modules are placed back to back on a single Sign Structure, and the Faces are at no point more than four (4) feet apart, the Area of both cabinets or both modules shall be counted as the Area of one.

(e) Where four cabinets or modules are arranged in a square, rectangle or diamond on a single Sign Structure, and the opposing ends of each pair of cabinets or modules are no more than two (2) feet apart, the Area of the four cabinets or four modules shall be counted as the Area of two.

(f) Each Free-Standing On-Premises Sign shall display the Street address of the associated Premises in numbers no smaller than four (4) inches or larger than ten (10) inches high placed in a prominent location on the Sign or Sign Structure so as to be as visible as practicable from the Frontage.

B. Building Signs.

1. Each Premises in a Business District (except a Premises within a Shopping Center) with one or more Buildings is Permitted one or more On-Premises Building Signs, subject to the following limitations regardless of the number of Buildings on the Premises:

2. The aggregate Sign Area of all such Building Signs shall not exceed two (2) square feet of Area for each linear foot of Building Frontage of the Premises, or one (1) square foot of Area for each linear foot of Frontage of the Premises, whichever is greater; provided that the aggregate Area of all non-exempt Building Signs, Window Signs and exempt Signs placed on or connected to the Facade of a Building may not exceed thirty percent (30%) of the Area of that Facade.

3. A Corner Premises shall be entitled to increase the foregoing aggregate Building Sign Area by fifty (50) percent, provided that at least thirty percent (30%) and not more than fifty (50) percent of the aggregate Sign Area is placed on the side-Street side of the Building.

4. The maximum number of Building Signs for any Premises is three (3), except that:

(a) The maximum number of Building Signs for any Premises located directly on the Gulf of Mexico may be increased by two (2), provided that the additional two (2) Building Signs are displayed on the water side of the Building; and

(b) The maximum number of Building Signs for any Premises entitled to a Free-Standing Sign which has no Free-Standing Sign may be increased by two
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(2), provided that the additional two (2) Building Signs are Graphic Signs; and

(c) The maximum number of Building Signs for any Premises entitled to a Free-Standing Sign whose Free-Standing Sign is a Monument Sign not exceeding eight (8) feet in Sign Height may be increased by one (1) provided that the additional Building Sign is a Graphic Sign; and

(d) The maximum number of Building Signs for a Corner Premises may be increased by one (1), provided that the additional one (1) Building Sign is displayed on the Side-Street side of the Building.

5. Any Premises located directly on the Gulf of Mexico may Erect and display one Free-Standing Sign between the Building and the soft beach sand area, but not in the soft beach sand area, intended and used solely for communication with patrons of the Premises, provided that the Area of such Sign shall not exceed sixteen (16) square feet and shall be included in the aggregate Building Sign Area of the Premises.

6. The aggregate Sign Area of one or more Building Signs shall be measured as follows:

(a) Where a Building Sign is enclosed by a border or any background material, panel, trim, cabinet, color or illumination which differentiates the Sign from the Building or background, the Sign Area shall be the Area within such enclosure or line of differentiation.

(b) Where a Building Sign is composed of letters, pictures, graphics or symbols attached directly to a wall, Canopy or Building, and the letters, pictures, graphics or symbols are not enclosed by a border or any background material, panel, trim, cabinet, color or illumination which differentiates the Sign from the Building or background, a single polygon with no more than eight straight sides will be drawn around and enclose the perimeter of all such letters, pictures, graphics or symbols and the Sign Area will be the Area of the polygon.

C. Each Premises in a Business District (except a Premises within a Shopping Center) with one or more Buildings is Permitted one (1) Free-Standing Sign Statuary not exceeding ten (10) feet in Height including any base, provided that (i) no graphic presentation of alphabetic or pictorial symbols or representations designed to communicate information is attached or associated with such Statuary, and (ii) the aggregate Sign Area of any Free-Standing Sign on the same Premises does not exceed two-thirds (2/3) of the maximum Area Permitted for such Sign under this Sign Code.

D. Sign Statuary incorporated in or associated with an On-Premises Sign shall be included in the Area of such Sign by measuring a two-dimensional view of the Sign Face, and the Area of such Statuary as so measured may not exceed one-third (1/3) of the Area of the Sign.

E. For each Shopping Center, the following On-Premises Signs, subject to the following requirements, are Permitted:
5. Standards for Special Situations

1. For each improved Street abutting the Shopping Center, one (1) Free-Standing Sign bearing the name and identification of the Shopping Center and of the establishments on the Premises, the maximum Sign Area of which shall be based on the Gross Leasable Area ("GLA") within the Shopping Center, as follows:

(a) Neighborhood Shopping Center- less than 30,000 square feet GLA - maximum Sign Area: four hundred (400) square feet.

(b) Community Shopping Center- at least 30,000 or more square feet GLA - maximum Sign Area: eight hundred (800) square feet.

2. Each establishment located within a Shopping Center is Permitted:

(a) One (1) Building or Canopy Sign not to exceed two (2) square feet of Sign Area for each lineal foot of establishment Frontage within the Center; provided that in the event such establishment has more than one such Frontage, for the purposes of this section each Frontage shall be considered a separate establishment, and

(b) One (1) hanging (but not swinging) Projecting Sign not to exceed one (1) foot by six (6) feet, or the width of the Canopy, whichever is less.

F. Each Building in a Business District shall be allowed without Permit therefore, Window Signs which cover or occupy no more than twenty-five percent (25%) of each Building Glass Area. Additional window Signs are prohibited.

5.07.08 Sign Permit Applications

A. A Sign Permit application for a Sign that is required by this Sign Code, or separate City Council resolution, shall be prepared and submitted on forms available at the Building Department. The Sign Permit is in addition to any Permit required by the Florida Building Code or other applicable health and safety code or law, and the issuance of a Sign Permit creates no rights with respect to any other Permit or under any body of law other than this Sign Code. The applicant shall furnish the following information on or with the Sign Permit application form:

1. Name, address and telephone number of the person making application for the Permit. If the applicant is anyone other than the property owner, the applicant shall provide written authorization from the property owner Permitting the installation of the Sign.

2. Name, address and telephone number of the property owner. If the owner is an entity other than an individual, list the contact person's name and telephone number.

3. Name, address and telephone number of the business tenant, if applicable. If the tenant is an entity other than an individual, list the contact person's name and telephone number.
4. Name, address, telephone and license number of the contractor, if applicable. If the contractor is an entity other than an individual, list the contact person’s name and telephone number.

5. Address and Bay County Property Appraiser’s parcel identification number of the property upon which the Sign is to be located.

6. Dimensions, elevation and Area of the proposed Sign, drawn to scale.

7. For an On-Premises Sign, the Frontage of the Premises and the Building Frontage, as needed to determine the Area of the Sign.

8. For an On-Premises Sign, a photograph of the Facade of each principle Building, photographs of all On-Premises Signs on the same Premises, and a statement listing, by reference to the photographs, the Area of each On-Premises Sign computed as required by this Sign Code.

9. For a Free-Standing On-Premises Sign, a Site Plan of the Premises indicating in feet and inches the location of the Sign in relation to all property lines, public rights-of-way, easements, Buildings and any other Free-Standing Sign on the Premises.

10. For an On-Premises Building Sign, the Façade elevation showing all existing Signs, the proposed Sign and all windows and doors, all drawn to scale with dimensions given for the Facade and for each element required to be shown

11. For an Off-Premises Sign, descriptions and Street addresses of the closest two (2) Off-Premises Signs, the distance from the location of the proposed Sign to each of those Signs, measured as required by this Sign Code, and including a map or drawing showing the route of measurement

12. Number of Faces. If a Multi-Vision Sign, the method of changing Faces.

13. For a Free-Standing Sign, all sign dimensions, including the Height of the top of the Sign and the distance between the bottom of the Sign and grade.


15. Sign illumination, specifying illumination type, placement and intensity.

16. For an Illuminated Sign, a complete application for an electrical Permit submitted, with appropriate fee, by a qualified and licensed electrical contractor.

17. Three (3) copies of the plans, specifications, calculations and details, signed and sealed by an engineer licensed in Florida documenting the applicable wind load and demonstrating compliance with the Florida Building Code for:

(a) A Free-Standing Sign exceeding one hundred (100) square feet in Sign Area of any Face, or

(b) A Projecting Signs over twenty-four (24) square feet in Sign Area of any Face.
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This requirement is in addition to any Permitting or substantive requirement imposed from time to time by the Florida Building Code or similar law.

18. Landscape plan, as applicable.

19. If applicable, the cost to repair and the cost to replace a Sign damaged by casualty, certified by a Sign contractor licensed to do business in the City and who does not have a direct or indirect economic or other interest in the subject Sign.

20. If the value of construction is $2,500.00 or greater, a certified Copy of notice of commencement shall be required prior to Permit issuance.

21. Signature of applicant verifying accuracy of information supplied.

B. An application for a Permit shall be accompanied by a Permit fee in the amount of twenty five dollars ($25.00) reflecting the actual or reasonably anticipated expenses associated with the application, which fee may be changed from time to time by resolution of the City Council to reflect changed expenses associated with processing Permit applications.

C. Any Permit issued through mistake of fact or law shall confer no right upon the permittee and such Permit shall be revoked by the City Manager or his designee upon discovery of such mistake, and the Sign for which the Permit was obtained shall be corrected or removed immediately by the owner or person entitled to possession thereof.

D. A Permit shall become null and void if the Sign for which the Permit was issued has not been Erected and completed within a period of one hundred eighty (180) days after the date of issuance. Only one thirty (30) day extension may be granted by the City Manager or his designee for good cause shown. A fee shall not be refunded.

E. When a Sign Permit has been issued, it shall be unlawful to change, modify, alter, or otherwise deviate in any material respect from the size, location and design of the Sign or Sign Structure represented in the application for such Permit.

F. The City Manager or designee may make or require any inspections to ascertain compliance with the provisions of this Sign Code, the comprehensive plan of the City, this LDC, the Florida Building Code and any other law.

G. If the work under any Sign Permit is proceeding in violation of this Sign Code, the Florida Building Code, or any other ordinance of the City, or should the City be denied access to inspect the work, or should it be found that there has been any false statement or misrepresentation of a material fact in the application or plans on which the Permit was based, the Permit holder shall be notified of the violation, denial or falsity. If the Permit holder fails or refuses to make corrections within ten days, or within three business days Permit access or demonstrate revised material facts justifying the Permit, it shall be the duty of the City Manager or designee to revoke such Permit and serve notice upon such Permit holder. Such notice shall be in writing and signed by the City Manager or his designee. It shall be unlawful for any person to proceed with any part of work after such notice is issued.
H. Sign Permit Application Review.

1. An applicant shall deliver a Permit application to the Building Department, or such other office as may be designated by the City Manager. The application shall be reviewed for a determination of whether the proposed Sign meets the applicable requirements of this Sign Code and any applicable Building code or land development regulation. The review of the Permit application shall be completed within forty-five (45) days following receipt of a completed application, and any applicable fees, not counting the day of receipt and not counting any Saturday, Sunday, or legal holiday which falls upon the first or the forty-fifth (45) day after the date of receipt. A Sign Permit shall either be approved, approved with conditions (meaning legal conditions existing in the Sign Code, Building Code or land development regulations, such as dimensional requirements), or disapproved, and the decision shall be reduced to writing. A disapproval shall include or be accompanied by a statement of the reason(s) for the disapproval. In the event that no decision is rendered within forty-five (45) calendar days following submission, the application shall be deemed denied. If disapproval is the consequence of a failure to decide upon the application within the deadline set forth herein, the City Manager or designee shall upon request refund any applicable fee to the person who paid the fee. In the event that no decision is rendered within forty-five (45) calendar days following submission, the application shall be deemed denied and the applicant may appeal to the Planning Board.

2. In the case of an approval with conditions or disapproval an applicant may ask for reconsideration of the decision on the grounds that the City Manager or designee may have overlooked or failed to consider any fact(s) that would support a different decision. A written request for reconsideration accompanied by such additional fact(s) as the applicant may wish the City Manager or designee to consider, shall be filed with the City Manager or designee within ten (10) calendar days after receipt of the decision. No fee shall be required for a request for reconsideration. Upon the timely filing of a request for reconsideration, the decision of the City Manager or designee shall be deemed stayed and not a final decision, until the request for reconsideration is decided. The request for reconsideration shall be decided within seven (7) days of receipt by the City, not counting any intervening Saturday, Sunday, or City holiday. Such decision shall be in writing and shall include a statement of the reason(s) for the decision. If the disapproval of the request for reconsideration was a consequence of a failure to decide upon the application within the deadline set forth herein, the City Manager or designee shall verify upon request that any applicable fee was refunded even if the City Manager or designee approves the application upon reconsideration.

3. All decisions shall be mailed, transmitted electronically, or hand delivered to the applicant. A record shall be kept of the date of mailing, electronic transmittal, or hand delivery. For the purposes of calculating compliance with the forty-five (45) day deadline for a decision upon an application or the seven day deadline for a decision upon request for reconsideration, the
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decision shall be deemed made when deposited in the mail, transmitted electronically, or hand delivered to the applicant.

4. As exceptions to the foregoing, the forty-five (45) day deadline for approval and the seven (7) day deadline for a decision upon receipt of a request for a reconsideration shall not apply (that is, the time shall be suspended):

(a) In any case in which the application requires a variance from any provision of the LDC, the City Code of Ordinances, a rezoning of the property, or an amendment to the comprehensive plan of the City. In such cases, the time shall be suspended until a final decision is made upon the application for the variance, rezoning, or comprehensive plan amendment.

(b) If the applicant is required to make any change to the application in order to obtain an unconditional approval, the time shall be suspended while the applicant makes such change.

(c) If an applicant is required to obtain an approval from any other governmental agency, the time shall be suspended until such approval is obtained.

(d) In any of the foregoing cases, the applicant may elect to seek a variance, rezoning of the property, or an amendment to the comprehensive plan of the City, make no change to the application, or obtain an approval that may be required by another governmental agency, and may instead demand a decision upon the Sign Permit application as filed, subject to obtaining a variance, rezoning of the property, or an amendment to the comprehensive plan of the City, or approval by another agency being obtained. In such event, the City Manager or designee shall make a decision on the application as appropriate within five (5) business days after receiving such demand. If a decision is not made in such a time, the application shall be deemed denied and the City Manager or designee shall verify that any applicable fee was refunded to the person who paid the fee.

5. An application which is materially incomplete or which is not accompanied by the required fee shall not be deemed accepted and the time for review of the application shall not commence until a complete application accompanied by the required fee is filed with the Building Department or successor office designated by the City Manager. In addition, the City Manager or designee shall, within forty-five (45) days of receipt of an incomplete or unpaid application, send the applicant a written explanation of the deficiencies in the application and ask that the deficiencies be remedied, explaining that the application cannot proceed forward otherwise and the review will be suspended pending receipt of the required information or documentation. The applicant must then submit a new application with the deficiencies corrected in order for it to be considered by the City Manager or designee.

6. Any person aggrieved by the decision of the City Manager or designee upon his or her Sign Permit application shall have the right to appeal to the
Planning Board as provided in this LDC. Failure to timely appeal the decision regarding a Sign application by the City Manager or designee shall waive the right to appeal, but constitute a failure to exhaust administrative remedies for purposes of a subsequent judicial action.

I. It shall be unlawful for any person or business or the person in charge of the business to Erect, construct, alter or maintain an outdoor advertising display Sign, as defined in the Florida Building Code, without first obtaining a Building Permit from the City in accordance with the provisions of the Florida Building Code and applicable law. Permit fees for a Building Permit shall be paid in accordance with the applicable City fee schedules. The requirement of a Building Permit under the Florida Building Code is separate and independent of the requirement for a Sign Permit under this Sign Code.

5.07.09 Existing Signs

A. Illegal Signs. Any Sign existing as of the effective date of this Sign Code, or on the effective date of any amendment to this Sign Code (i) which was not Erected pursuant to a valid Permit from the City if required or (ii) which did not comply in all respects with City ordinances in effect immediately prior to such effective date or (iii) which was required by City ordinance in effect immediately prior to such effective date to be removed due to the passage of time or any other reason, regardless of whether the City shall have commenced any enforcement action against such Sign or any person, and any Sign reclassified as an Illegal Sign pursuant to section 5.07.09C, is hereby deemed to be an "Illegal Sign" and such Sign, the Premises upon which it is located, and the person or persons responsible for such Sign shall be subject to the remedies and penalties provided by law.

Upon a determination by the City Manager or his designee and written notice at any time to the owner or person entitled to possession of an Illegal Sign that such Sign exists, in addition to any other remedy or penalty that may be available to the City, the owner or person entitled to possession of an Illegal Sign shall be obligated to remove such Sign and any associated Sign Structure within twenty (20) days after receipt of such notice unless an appeal of such determination has been previously filed with the Planning Board and is pending or has been resolved in the permittee’s favor.

B. Legal Signs. Any Sign existing on the effective date of this Sign Code which was Erected pursuant to a valid Permit from the City if required, and which complies in all respects with City ordinances in effect immediately prior to such effective date, and which conforms to the provisions of this Sign Code, and any subsequent amendment hereto, is hereby deemed to be a "Legal Sign" and shall be entitled to a Permit or renewed Permit evidencing that fact upon application and payment of a registration fee in the amount of $5.00 to be applied against the actual or reasonably anticipated expenses associated with the registration. The fee may be changed from time to time by resolution of the City Council to reflect changed expenses associated with registration.

C. Attrition and removal of Nonconforming Signs. Any Sign existing on the effective date of this Sign Code, or the effective date of any amendment to this Sign Code,