

ORDINANCE NO. 2024-1784

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WHEREAS, the Town of Surfside (the “Town”) repealed and replaced its Sign Ordinance by Ordinance 2014-1624 (“Town of Surfside Sign Code”); and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 considered and approved of this Ordinance on first reading at its Special Commission Meeting on 23 July 2024;

WHEREAS, the Town’s Local Planning Agency (“LPA”) considered and recommended approval of this amended Ordinance at its Planning and Zoning Meeting on 24 July 2024;

WHEREAS, the Town Commission considered the recommended action by the LPA at its Regular Commission meeting on 13 August 2024; 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.

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

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41 Chapter 90 – Zoning

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43
44 Article VI. – Signs

45 ***

46 ***

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

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

52 ***

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54 (3) *Permitted signs.*

55 ***

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57 b. *Monument sign.* One monument sign shall be permitted per street
58 frontage. Except for signs placed by or erected by the Town, ~~the~~ maximum sign
59 area shall not exceed 25 ~~30~~ square feet. The maximum height shall not exceed five
60 ~~six~~ feet from the ground. Signs shall maintain a five-foot setback from all property
61 lines and no portion shall be permitted to project within this five-foot setback area.
62 Signs are required to be landscaped at the base. Signs may be internally or externally
63 illuminated.

64 ***

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66 **Section 3. Severability.** If any section, sentence, clause or phrase of this
67 ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction,
68 then said holding shall in no way affect the validity of the remaining portions of this
69 ordinance.

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71 **Section 4. Inclusion in the Code.** It is the intention of the Town
72 Commission, and it is hereby ordained that the provisions of this Ordinance shall become
73 and made a part of the Town of Surfside Code of Ordinances, that the sections of this
74 Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word
75 "Ordinance" may be changed to "Section" or other appropriate word.

76
77 Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes
78 between first and second reading are indicated with ~~highlighted double-strikethrough~~ and double underline.

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

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

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89 **PASSED AND ADOPTED** on first reading this 23rd day of July, 2024.

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91 **PASSED AND ADOPTED** on second reading this 13th day of August, 2024.

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93 **First Reading:**

94 Motion by: Vice Mayor Paul

95 Second by: Commissioner Velasquez

93 **Second Reading:**

94 Motion by: Vice Mayor Paul

95 Second by: Commissioner Velasquez

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97 **FINAL VOTE ON ADOPTION**

98 Commissioner Ruben A. Coto Yes

99 Commissioner Nelly Velasquez Yes

100 Commissioner Gerardo Vildostegui Yes

101 Vice Mayor Tina Paul Yes

102 Mayor Charles W. Burkett Yes

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106 **Attest:**

107 
108 _____
109 Sandra N. McCready, MMC
110 Town Clerk

111
112 **Approved as to Form and Legal Sufficiency**

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114 
115 _____
116 Mark Blumstein, Interim Town Attorney
117



105 _____
106 Charles W. Burkett, Mayor