

ORDINANCE NO. 1317

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S SIGN AND LAND DEVELOPMENT CODE TO CLARIFY THAT POLITICAL MESSAGES SHALL BE PERMITTED ON VEHICLE SIGNS TO THE SAME EXTENT AS PERMITTED COMMERCIAL MESSAGES; PROVIDING THAT NON-COMMERCIAL MESSAGES ENTITLED TO BE INTERCHANGED ON COMMERCIAL ON-PREMISES AND COMMERCIAL OFF-PREMISES SIGNS SHALL ALSO BE INTERCHANGEABLE ON VEHICLE SIGNS; REPEALING ALL ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance, Section 5.07.05 of the Land Development Code of the City of Panama City Beach related to General Sign Standards, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

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.

...

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 **Vehicle, 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.

...

SECTION 2. From and after the effective date of this ordinance, Section 5.07.04 of the Land Development Code of the City of Panama City Beach related to Prohibited Signs, is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

5.07.04 Prohibited Signs.

It shall be unlawful for any person to **Erect**, display, or allow to be **Erected** or displayed within the **City** any of the following types of **Signs**:

...

- L. **Vehicle Sign** associated with a **Vehicle** which is parked or placed within one hundred (100) feet of any **Street**, which is visible from such **Street** and which is used primarily for advertising as opposed to conveyance. In determining whether a parked **Vehicle** is used primarily for advertising as opposed to conveyance, the following factors shall be considered: the location of the **Vehicle** on the **Premises** and the visibility of the **Vehicle** to the passing public, the duration of parking, the time of day and the activity in the parking lot, the availability of other parking spaces on the **Premises** and the proximity of the **Vehicle** to the **Area** on the **Premises** where operable **Vehicles** are customarily loaded, unloaded or otherwise carry out their primary purpose of conveyance, and whether the **Vehicle** is insured, operable, currently licensed by the state of Florida to travel public highways, This provision is not to be construed as prohibiting the identification of a firm or its principal products on a **Vehicle** operated by that firm during its normal hours of business and which is insured, operable and currently licensed by the state of Florida to travel public highways, provided that such **Vehicle** is used primarily for conveyance. As used in this paragraph, advertising means to direct attention to a **Commercial**, industrial, educational, religious, **political** or not-for-profit occupancy, **entity**, establishment, commodity, good, product, service or other **Commercial**, industrial, educational, religious, **political** or not-for-profit activity conducted anywhere (that is, both **On-Premises** and **Off-Premises Signs**).

...

- KK. Any **Sign** not **Permitted** by this **Sign Code** either with or without a **Permit**, provided however that any **Sign** neither prohibited nor **Permitted**, with or without a **Permit**, shall be presumed to not have been considered, the **City Council** finding that the nature and technology of **Signs** and advertising is constantly changing. Accordingly, any person may at any time submit a written application to the **City Manager** to amend this **Code** to either allow a **Sign** without a **Permit** or to authorize 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 rationale 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 **be** that the **City** intends to prohibit the **Sign**. If the **Sign** is allowed by **Permit**, no additional fee shall be required.

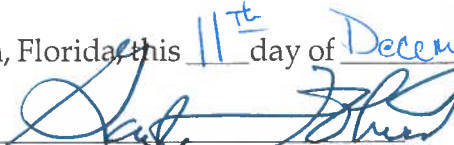
...

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.


SECTION 4. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Land Development Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 5. This Ordinance shall take effect immediately upon passage.

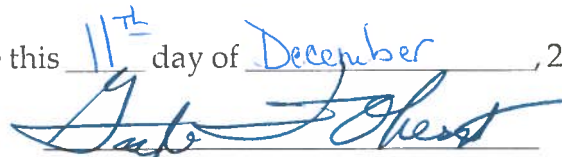
PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 11th day of December, 2014.


MAYOR

ATTEST:


CITY CLERK

EXAMINED AND APPROVED by me this 11th day of December, 2014.


MAYOR

PUBLISHED in News Herald on the 25th day of November, 2014.

POSTED on pcb.gov.com on the 15th day of December, 2014.

A handwritten signature in blue ink that reads "Holly J. White". The signature is written in a cursive style with a large loop for the letter 'H'.

HOLLY J. WHITE, CITY CLERK