

V. SIGN REGULATIONS

A. General Provisions

All signs within the City shall be erected, constructed, maintained or permitted in accordance with the provisions of this Article, and only those signs allowed in this article shall be erected within the City.

B. Definitions and Interpretation

Words and phrases used in this Article shall have the meanings defined in this section. Words or phrases not defined in this section but defined in the Land Development Code shall have the meaning defined in that ordinance.

Words used in the singular shall include the plural; and the plural the singular; and the words used in the present tense shall include the future tense.

The word “shall” is mandatory, not discretionary. The word “may” is permissive.

The word “erected” includes the words “constructed”, “moved”, “located” or “relocated”.

The word “lot” includes the word “plot” or “parcel”.

The word “person” includes the words “individuals”, “firms”, “partnerships”, “corporations”, “associations”, “governmental bodies” and all other legal entities.

The words “used” or “occupied” include the words “intended”, “arranged” or “designed to be used or occupied”.

C. Definitions

“A” frame or sandwich sign: A sign so named because of the inverted “v” shaped structure and utilization of copy on both sides, facing opposite directions. These signs are usually painted on wood or metal surfaces usually resting on the ground with no permanent attachment.

Abandoned sign: A sign which no longer identifies or advertises a bona fide business, lessor service, owner, product or activity, time of event passed, and/or for which no legal owner can be found. This definition shall also include any sign structure, which no longer supports the sign for which it was designed.

Accessory sign: A permanent ground or building sign that is permitted under this Code as incidental to an existing or proposed use of land.

Accessory use: A use of land or structure or portion thereof customarily incidental and subordinate to the principal use of the land or structure and located on the same parcel.

Advertising: Sign copy intended to directly or indirectly promote the sale or use of a product, service, commodity, entertainment, or real or personal property.

Animated Signs: Any sign of which all or any part thereof visibly moves in any fashion whatsoever and any sign which contains or uses for illumination any light, lights, or lighting devices or devices which change color, flash, or alternate, show movement or motion, or change the appearance of such sign or any part thereof automatically. The term “animated sign” shall not include revolving signs.

Attached sign: Any sign attached to any part of a building, as contrasted to a free standing sign, and which extends from the wall no more than twelve (12) inches.

Awning: Any rigid or non-rigid material such as fabric or flexible plastic that is supported by or stretched over a frame that is attached to an exterior wall.

Awning sign: A sign placed or painted directly on the surface of an awning.

Backlight awning: A structure, projecting from and supported by the exterior wall of a building constructed of materials such as cloth, plastic or metal with characters, letters, figures, etc. illuminated by electric light, luminous tubes, or other lighting method as part of the sign structure. This type of structure will be considered a wall sign for regulation purposes.

Banner: Any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges.

Bench sign: An advertising message on any portion of a bench.

Building marker: Any sign indicating the name of a building and date and/or incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

Building sign: A sign displayed upon or attached to any part of the exterior of a building, including walls, windows, doors, parapets, marquees and roof slopes of forty-five (45) degrees or steeper.

Canopy: An extension of the roof of a building or a free standing structure that has a roof with support but no walls.

Canopy sign: Any sign that is a part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor services area.

City: The City of Apalachicola.

Commercially developed parcel: A parcel of property on which there is at least one (1) walled and roofed structure used or designed to be used for other than residential purposes.

Construction sign: A non-permanent sign identifying the persons, firms, or businesses directly connected with a construction project.

Directory sign: Any sign which displays exclusively the names, logos and locations of occupants or uses of a building or commercial complex. No advertising other than name, logo and locations of occupants or use is included.

Double faced sign: A sign which has two display areas against each other or where the interior angle formed by the display areas is 60 degrees or less, where one face is designed to be seen from one direction and the other face from the other direction.

Electric sign: Any sign containing electric wiring.

Enforcement officer: The official designated by the City to administer and enforce the provisions of this Article or his/her designee.

Erect: To build, paint, construct, reconstruct, attach, hang, suspend, place or affix.

Festoons: A string of ribbons, tinsel, small flags or pinwheels.

Flag: A piece of cloth or flexible material varying in size, color and/or design, used as a symbol, standard, signal or emblem.

Flashing sign: See animated sign.

Free standing sign: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structures. Includes ground and monument signs.

Frontage: The length of the property line of any one (1) parcel along a street on which it borders.

Ground sign: A free standing sign supported by a sign structure placed in the ground and which is entirely independent of any building, fence or object other than the sign structure for support. A ground sign is also known as a pole sign.

Harmful to minors: With regard to sign content, any description or representation, in whatever form, of nudity, sexual conduct or sexual excitement, when it is patently offensive to contemporary standards in the adult community as a whole with respect

to what is suitable sexual material for minors or lacks serious literary, artistic, political or scientific value.

Holiday decorations: Signs or displays including lighting which are a non-permanent installation celebrating national, state and local holidays or holiday seasons.

Illegal sign: Any sign erected or maintained in violation of a preceding ordinance or erected, altered, moved or replaced in violation of this Article.

Illuminated sign: A sign illuminated in any manner by an artificial light source.

Indirectly illuminated sign: A sign illuminated by an external light source directed primarily toward such sign.

Internally illuminated sign: A sign containing a light source that is recessed or contained within the element of the sign.

Inflatable sign: Any device which is supported by air pressure or inflated with air or gas which is used to attract the attention of the public, whether or not it displays any specific advertising message.

Marquee: A structure projecting from and supported by a building which extends beyond the building line or property line and fully or partially covers a sidewalk, public entrance or other pedestrian way.

Monument sign: A permanent ground sign designed so that the base of the sign face is flush with the supporting base, and the supporting base is flush with the ground and extends the full width of the sign face.

Multi-Faced sign: A sign structure with more than two sign faces situated so that each sign face is facing a different direction.

Multiple Occupancy Complex: A commercial use, i.e., any use other than residential, consisting of a parcel of property or parcel of contiguous properties existing as a unified or coordinated project, with a building or buildings housing more than one (1) occupant.

Non-Conforming sign: Any sign legally in existence prior to the effective date of this Article, or any applicable amendment thereto, which does not satisfy the requirements of this Article as amended.

Off premises sign: Any sign normally used for promoting a business, individual, products or service available on the premises other than the premises where the sign is located.

On premise or on site sign: Any sign that is used to attract attention to an object, person, product, institution, organization, business, service, event, sale or location that is located on the premises upon which the sign is located.

Pennant: Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in a series, designed to move in the wind.

Permanent: Designed, constructed and intended for more than short-term use.

Permitted sign: Any sign that has been reviewed by the Building Department, found to be in compliance with this Ordinance and for which a building permit has been approved and received.

Portable sign: Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including, but not limited to signs designed to be transported by means of wheels; signs converted to "A" or "T" frames; menu and sandwich board signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right of way, unless said vehicle is used in the normal day to day operations of business.

Premises: An area of land occupied by the buildings or other physical uses which are an integral part of the activity conducted upon the land and such open spaces as are arranged and designed to be used in conjunction with that activity.

Projecting sign: Any sign affixed to a building or wall in such a manner that its leading edge extends more than twelve inches beyond the surface of such building or wall.

River frontage: The distance for which a lot line of a zone lot adjoins the waterfront of a river, from one lot line intersecting said waterfront to the furthest distance lot line intersecting the same waterfront.

Roof sign: A sign projecting over the coping of a flat roof, or wholly or partially over the ridge of a gable, hip or gambrel roof and supported by or attached to said roof.

Roofline: A horizontal line intersecting the highest point or points of a roof.

Sign: Sidewalk or Sandwich: A moveable sign not secured or attached to the ground or surface upon which it is located.

Sign: Any device, fixture, placard, sculpture or structure whether natural or man made, that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. This definition includes all parts of such device, including its structure and supports and also includes balloons,

banners, pennants, flags, lights, reflectors, reflected lights, streamers or other devices which are used to attract the attention of the public, whether or not they convey a specific advertised message.

Sign: exempt: Any sign which is specifically listed as exempt from this Article.

Sign face: The surface or plane of the sign upon, against or through which a message is displayed or illustrated.

Sign face area: The area of any regular geometric shape, which contains the entire surface area of a sign upon which copy may be placed.

Sign structure: Those parts of a sign designed to support it in place.

Snipe sign: A temporary sign or poster affixed to a tree, fence, utility pole, etc.

Streamer: Any long, narrow flag, banner, tinsel or roping which is hung or strung from any structure to another structure or the ground.

Street frontage: The distance for which a lot line of a zone lot adjoins an opened public street from one lot line intersecting said street to the furthest distance lot line intersecting the same street. Driveways or alleys are not to be used to determine or calculate street frontage.

Temporary sign: A sign that is displayed for a specific period of time not to exceed 30 days and which announces special events or occurrences.

Trailer sign: Any sign which is mounted on wheels and which may be moved from one location to another.

Unit: That part of a multiple occupancy complex housing one occupant.

Vehicle Sign: Any sign affixed to a vehicle.

Wall sign: A sign applied to or mounted to the wall or surface of a building or structure, the display surface which does not project more than six inches from the outside wall of such a building or structure.

Wind signs: Any sign, part of a sign or series of signs designed or erected in such a manner as to move when subjected to wind pressure.

Window sign: Any sign, pictures, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is attached inside a window or upon the window panes or glass and is visible from the exterior of the window.

D. Computations

The following principles shall control the computation of sign area and sign height.

1. Computation of sign area:

The area of a sign shall be computed by means of the smallest rectilinear figure (but which shall have a continuous perimeter of not more than eight straight lines) which encompasses all lettering, wording, frame, design or symbols, together with any background and any illuminated part of the sign on which the sign is located, if such background or such illuminated part of the sign is designed as an integral part of and related to the sign. Support and bracing which are not intended as part of the sign and which contain no message, shall be excluded. In the case of a multi-faced sign, the area of the sign shall be considered to include all faces visible from one direction, the area shall be considered to include all lettering, wording and accompanying designs or symbols together with any background of different color than the natural of the building.

2. Computation of Height:

The height of the sign shall be computed as the distance from the ground directly below the center of the sign or from the grade of the closest point in the traveled way of the road or street the sign is located along, whichever is higher, to the sign or sign structures highest point.

E. Permitting

Except as specifically exempted or prohibited in this section, all signs, constructed or modified shall require a permit in accordance with the provisions of this Article.

F. Exempt Signs

The following signs are exempt from the application of these sign regulations and from the requirements in this Article that a permit be obtained for the erection of permanent signs, provided they are not placed within the right of way of any road or constructed as to create a hazard of any kind.

- a. Legal notices and instruments. This may include temporary political signs announcing a campaign drive or event, provided such signs are not erected in a public right of way and are removed within five days following a campaign drive or event.
- b. Signs necessary to promote health, safety and welfare and other regulatory, statutory, traffic control or directional signs erected on public property with permission from the United States, the State, the County or the City.
- c. Decorative flags and bunting for a celebration, convention or commemoration of significance to the entire community when authorized by the City council for a prescribed period of time.

- d. Temporary holiday lights and decorations.
- e. Merchandise displays behind storefront windows so long as no part of the display contains flashing lights.
- f. Memorial signs or tablets, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building.
- g. Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such signs customarily affixed to vending machines, newspaper racks, telephone booths and gasoline pumps.
- h. Public warning signs no larger than 4 square feet to indicate the dangers of trespassing, unfriendly animals or similar hazards.
- i. Signs carried by a person.
- j. One sign per residential use indicating a residents name, street address of the premises and/or an accessory use sign for an allowed home occupation, and/or such sign for a permitted professional activity, provided that such sign shall not exceed an area of two square feet.
- k. Bulletin boards for public, charitable, educational or religious institutions not to exceed fifteen square feet of sign area; provided such sign is located on the premises of said institution. Such sign shall be placed flat against the principal use structure or not less than five feet from the property line.
- l. One temporary non-illuminated real estate sign advertising only the sale, lease or rental of the premises or property upon which said sign is located, or one non-illuminated sign indicating a building is open for public inspection. For residential zoned districts, such signs shall not exceed four square feet in sign area or exceed 4 feet in height. Such signs shall be placed no closer than five feet from the street right of way line or shall be attached to the principal use structure. For non-residential zoned districts such signs shall not exceed twelve square feet in area and shall be placed no closer than ten feet from the street right of way line or shall be attached to the principle structure. All such signs shall be removed within five days after the property has been sold, leased or rented.

G. Signs Regulated but not requiring permits

The following types of signs are exempted from sign permit requirements, and shall not be considered in determining the allowable size or number of signs on a zoned lot; provided however, that they must comply with all other applicable sections of this Article. The erection of any sign not listed in this section shall require a permit.

- 1. Window signs on or within windows relating to the business conducted within; or to non-profit civic or charitable organizations provided that no more than twenty-five percent of any window area is utilized for such signs.
- 2. Temporary signs as defined in Section C of this Article.
- 3. Signs required by law, statute or ordinance.

H. Permitted temporary signs

1. Where allowed: Temporary signs are allowed throughout the city, subject to the restrictions imposed by this section and other relevant parts of this Article.
2. Sign types allowed: A temporary sign may be a ground or building sign but may not be an electric sign.
3. Removal of illegal temporary signs: Any temporary sign not complying with the requirements of this section is illegal and subject to immediate removal by the City. Any fee incurred by the City for removal of illegal signs will be charged to the owner. Fees shall be a minimum of \$20.00 but not to exceed \$200.00.
4. Restrictions on content of temporary signs: A temporary sign may display any message so long as it does not contain any of the following:
 - a. Language, pictures or any other content that is harmful to minors.
 - b. Offensive words, pictures, nudity or profanity.
 - c. Advertising except that advertising for the following purposes may be displayed:
 1. To indicate the grand opening of a business or other activity. Such message may be displayed for a period not exceeding fourteen days.
 2. To indicate the existence of a new business or a business in a new location, if such business has no permanent signs. Such message may be displayed for a period of not more than thirty days or until installation of permanent signs, whichever shall occur first.
 3. To announce or advertise such temporary uses as fairs, carnivals, circuses, revivals, sporting events, flea markets or any public, charitable, educational or religious event or function. Such message shall be removed within five days after the special event.

I. Sign prohibited within City limits

All signs not expressly permitted under this Article or exempt from regulation hereunder in accordance with this Section are prohibited within the City limits of Apalachicola, Florida. Such signs include, but are not limited to:

1. Banners, streamers, pennants, festoons and other wind signs, except as exempted herein;
2. Temporary signs except as exempted under the provisions of this Article.
3. Portable, trailer, sidewalk, sandwich, curb.
4. Searchlights, strobe or flashing lights, (except as required for public safety by state or local regulation).
5. Strings of lights not permanently mounted to a rigid background, except those exempted under the provisions of this Article.
6. Illuminated tubing outlining property lines, open sale areas, doors, windows, or wall edges of any building.
7. Internally illuminated signs.
8. Animated signs.
9. Bench signs. (unless approved by the City Commission)
10. Snipe signs.

11. Roof signs of all types.
12. Signs that emit audible sound, odor or visible matter such as smoke or steam.
13. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement or any portion of any sidewalk or street.
14. Signs erected on public property, or on private property (such as private utility poles) located on public property, other than signs erected by public authority for public purpose and signs authorized in writing pursuant to FS 337.407.
15. Signs displaying copy that is harmful to minors.
16. Inflatable signs and tethered balloons.
17. Any abandoned sign or sign structure.
18. Signs that are in violation of the building or electrical code adopted by the City.
19. Any sign that, when determined by the City Building Inspector, does or may constitute a safety hazard. Such signs include those which may create a vision impairment by obstructing the vision of pedestrians, cyclists or motorists traveling on or entering onto public streets.
20. Signs that involve the use of live animals intended to attract attention.
21. Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit or standpipe, or that obstructs any window to such an extent that light or ventilation is reduced to a point below that required by any provision of this chapter or other ordinance of the city.
22. Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape or color would conflict with the proper functioning of any traffic sign or signal or be of a size, location, movement, content, color or illumination that may be reasonably confused with or construed as, or conceal a traffic control device.
23. Nongovernmental signs that use the words "stop", "look", "danger" or any similar word, phrase or symbol.
24. Signs within ten feet of any public right of way or one hundred feet of traffic control lights that contain red or green lights that might be confused with traffic control lights.
25. Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist or pedestrian using or entering a public way or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.
26. Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television or other communication signals.
27. Signs erected over or across any public street except as otherwise may be expressly authorized by this Ordinance and exempt governmental signs erected by or on the order of a public officer.
28. Signs placed within public rights of way, except publicly owned, authorized or maintained signs which serve an official public purpose.
29. Any sign placed or erected on property without permission of the owner.
30. Signs which advertise any activity, service or product prohibited by the laws and regulations of the United States or the State of Florida or by ordinances or resolutions of the City.

31. Dilapidated or neglected signs. A sign (including sign structure) will be dilapidated or neglected if it does not present a neat and orderly appearance, which may be manifested by the following: rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy.
32. Outdoor advertising signs.
33. Off premise advertising signs.

J. Permits Required.

If a sign requiring a permit under the provisions of this Article is to be placed, constructed, erected or modified, the person or entity proposing the sign shall secure a sign permit prior to the construction, placement, erection or modification of such a sign in accordance with the requirements of Section S.

No permit of any kind shall be issued for a proposed sign unless such sign is consistent with the requirements of this Article (including those protecting existing signs) in every respect.

A sign permit shall expire if the sign for which the permit was issued has not been erected, installed or completed within six months after the date of permit issuance.

K. Design, Construction and Maintenance

All signs requiring a permit shall be designed, constructed and maintained in accordance with the following standards:

- a. All signs shall comply with applicable provisions of the Florida Building Code and the Electrical Code of the City at all times.
- b. All signs requiring permits shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure.
- c. Signs that are illuminated shall only be illuminated in accordance with the following additional standards:
 1. Full cutoff fixtures must be used. Up-lighting is prohibited. No sign shall have internal illumination.
 2. Illumination shall be with white light only.
 3. Illumination shall be with fluorescent bulbs or lamps only. Fluorescent fixtures shall be of the enclosed type with a gasketed lens and a wet location label.
 - a. one fixture allowed per sign face for signs up to four feet wide, two fixtures for signs up to six feet wide and three fixtures for signs up to eight feet wide.
 - b. The maximum wattage, for all fixtures combined, shall not exceed 36 watts per sign face.

4. A full cutoff fixture for lighting a sign face shall be designed and positioned no higher than the top edge of the sign face.
- d. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this code at all times. The Building Inspector shall have the right to order the repair or removal of any sign which is defective, damaged or substantially deteriorated as defined in the Florida Building Code.
- e. "A" frame or sandwich signs shall be no larger than 24x40 inches and shall only be displayed during business hours. Only one such sign shall be allowed per storefront.

All persons involved in maintenance, installation, alteration or relocation of signs near or upon any public right of way shall agree to hold harmless and indemnify the City, its officers, agents and employees against any and all claims of negligence resulting from such work.

All persons involved in maintenance, installation, alteration or relocation of signs, for a fee, shall maintain all required insurance and shall file with the State a satisfactory certificate of insurance to indemnify the State, County or City against any form of liability in accordance with City, County and State regulations.

L. Signs permitted in all Zones

The signs enumerated in Section F, Signs Exempt and Section G, Signs Regulated but not requiring Permits apply to all zones.

M. Signs permitted in Residential Zones.

For the purposes of this section, the following shall be considered residential districts: R1, R2, R3, R4 and OR.

Signs are permitted in these districts as follows:

1. For home occupations- one non-illuminated wall sign, not to exceed three square feet in size is permitted.
2. For permitted non-residential uses other than home occupations, including churches, and synagogues- One free standing monument sign not to exceed twelve square feet in area or eight feet in height.

N. Signs permitted in Commercial Zones

Signs in these zones may be illuminated in accordance with Section K. Signs are permitted in these districts as follows:

1. The total maximum allowable square footage of signage per business per street frontage shall not exceed 24 square feet.

2. In addition to the above maximum total signage allowances, each business with an off street entrance may have one non-illuminated, attached directory sign per occupancy, not to exceed three square feet.

All free standing signs shall be setback from the property line such that there is at every intersection a clear view between heights of three to ten feet in a triangle formed by the corner and points of the curb thirty feet from the intersection or entranceway.

O. Projecting Signs

1. Such signs shall be hung at a ninety-degree angle from the building face.
2. Each sign face shall not exceed eight square feet of sign area.
3. The bottom of said sign shall allow an eight foot pedestrian clearance from sidewalk level.
4. The top of the sign may be suspended no higher than the bottom of the sills of the first level of windows above the first story in a multi-story building.

P. Nonconforming Permanent Signs

Subject to the following conditions, all permanent signs made nonconforming by the passage of this Article or by any subsequent amendment, may be continued in operation and maintained. Such signs shall not be:

1. Replaced with another nonconforming sign.
2. Enlarged, extended, constructed, reconstructed, moved or structurally altered except to bring the sign into conformance with all provisions of this Article.
3. Re-established after damage or destruction if such damage to the sign exceeds fifty percent of its total surface area. The extent of the damage shall be determined by the Building Inspector.
4. Re-established after it has been removed or has been abandoned for sixty days or more.

Any change in use shall require the sign be brought into conformance.

Q. Nonconforming portable, temporary or wind signs.

All portable, temporary or wind signs which are made nonconforming as a result of the passage of this article, or from the passage of any subsequent amendment to this Article, shall be removed within sixty days of the effective date of this Ordinance.

R. Permitting

No sign except those listed in Section F and Section G shall be constructed, erected or modified without a compliance and building code review by the Building Inspector. The Building Inspector shall issue a permit only for a proposed sign that meets the requirements of this Ordinance.

S. Sign Permit Applications

Sign permit application forms shall be obtained from the Building Inspector. Each application shall be accompanied by the following information:

1. Name of business and address where work is to be performed.
2. Name and title of applicant.
3. Name, address and telephone number of the firm doing installation work.
4. Name and address of the sign owner if other than business installing sign.
5. A complete list describing each existing sign on the premises, including sign type, copy, sign area, location on premises and date installed.
6. A site plan showing the location of the affected lot, buildings and signs showing both existing and proposed signs.
7. A scale drawing of each proposed sign or sign revision, including location, size, height, copy, structural and footing details, material, method of attachment, illumination, front and end views of canopies and any other information required to ensure compliance with appropriate laws.
8. Written consent of the owner of the building, structure, or property where the sign is to be erected.
9. Owner must provide, to the Code Enforcement Officer, photographs of completed sign placement on premises within 30 days of issuance of permit.

T. Appeal

Any aggrieved person may appeal the decision of the Enforcement Officer by filing a written request for appeal to the City Board of Adjustment within fifteen days of notification of inspectors' decision.

U. Interpretations

Where there is any dispute concerning the interpretation of this Article, the decision of the Enforcement Officer shall prevail, subject to appeal to the Board as provided above.

V. Enforcement and Penalties

This Article shall be administered and enforced by the City Enforcement Officer or their designee.

The Enforcement Officer or designee may issue a citation for violation of this Article by any person, including, if applicable, the owner, manager or tenant of the lot on which a sign is located; for a sign erected, altered, maintained, converted, or used in violation of this Article; or in violation of any other applicable ordinance, including but not limited to, building and electrical codes.

Any person who shall violate any of the provisions of this Article or fail to comply with any of its requirements shall be subject to fines not to exceed \$500.00 per day.

Every violation of this Article shall constitute a misdemeanor and be punishable as such, but nothing herein contained shall prevent the City of Apalachicola from taking such other action as is necessary to prevent or remedy any violation.

The Enforcement Officer or designee may remove any sign or structure illegally placed upon a public right of way without any notice and may dispose of said sign or structure at owners' expense. Such removal and disposal of illegally placed signs shall not preclude the prosecution of any person for illegally placing such signs in the public right of way.

W. Removal of Signs

- a. Abandoned signs shall be removed by the owner or lessee of the premises upon which the sign is located within sixty days after the business or services advertised by the sign is no longer conducted on the premises.
- b. The Enforcement Officer may order the removal of any sign erected, installed or allowed to remain in violation of this Article. He/she shall give at least thirty days notice in writing, to the owner of such sign or of the building, structure or premises on which the sign is located to remove the sign or to bring it into compliance with this Article. The Enforcement Officer may order the removal of the sign at the expense of the owner of the premises if compliance with the written order is not obtained. Notice to the owner shall be deemed to be given as of the date of deposit in US Certified mail addressed to the address of record that date at the office of the Franklin County Property Appraisers Office or the City of Apalachicola Water and Sewer Department.

SECTION II

All ordinances or parts of ordinances in conflict herewith, to the extent of such conflict are hereby repealed.

SECTION III

This ordinance shall become effective upon affirmative vote of the majority of the City Commission and when signed by the Mayor and attested to by the City Administrator.