

**CITY OF COCOA BEACH
DEVELOPMENT SERVICES DEPARTMENT
DEPARTMENTAL POLICY**

Policy # 18
Effective Date: 9/11/03
Revision Date:

SUBJECT: Procedure for handling political signs located in rights-of-way

CODE REF: 1) Cocoa Beach Code Appendix B, "Land Development Code" (LDC) Section 6-04 (y) : "**Political Sign:** A sign or poster advertising either a candidate for public office or political causes." ; LDC Section 6-07 "Permit Exemptions and Exceptions" (h) "Political signs or posters not exceeding six (6) square feet in area." ; LDC Section 6-17 "Special Criteria and Standards" (e) "Political signs: No political sign shall be erected or placed on city-owned property, and any political sign, whether or not it is exempt from the permit requirements of this chapter, that is erected or placed at any other location in the city shall be removed within three (3) days after an election or campaign to which such sign pertains; provided, however, that a sign may remain through any secondary, primary, or run-off election as to any candidate who is subject thereto. The candidate shall be deemed responsible for the erection or placing of any political sign bearing the candidates name and the candidate responsible for the erection or placing of any political sign shall be legally responsible for the removal of any political sign erected or placed as herein set forth"; and LDC Section 6-25 "Prohibited Signs and Sign Features" (b) "Signs on public utility poles and trees. Signs, regardless of whether exempt from permanent requirements, including political signs, are prohibited on public utility poles and trees" and (d) Sign over public property. No sign shall extend over public property or public right-of-way ..."

FINDINGS/BACKGROUND:

- a) To set a standard and procedure to deal with how political signs will be removed or relocated to ensure such signage is compliant with City Code, this policy is necessary.
- b) The location of right of way lines and property lines that determine the lawful location of political signs are sometimes difficult to determine.

CONCLUSIONS/POLICY:

- a) NO political sign is authorized or compliant with City Code if such sign is located on a public right of way. City staff, in order to enforce this code requirement, has the authority and direction to remove political signs if such signs are located on city-owned property or within the right of way (outside private property).

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- b) Only political signs less than 6 square feet are exempt from permitting. Any larger sign must be permitted and compliant with requirement of sign size, location, and number in the zoning district where such sign is located.
- c) If a sign is found to be located on public right of way, and such sign is on right of way that abuts private property, the code officer is authorized to relocate that sign from the public right of way to the abutting private property. Generally, it is assumed the right of way line is abutting the property (building) side of a sidewalk, or if no sidewalk is present, then eight to ten feet (3 giant steps) from the edge of curb is considered the right of way line. This provision is only for guidance regarding location and relocation of political signs. Provision (a) may override this guidance because the law states that NO political sign may be located in a public right of way.
- d) Along South Atlantic Avenue, and other areas where there may be front yard fencing located on the property line, a political sign may be located "street" side of the fence provided such sign touches or is in contact with the fence. Again this provision is only for guidance regarding location and relocation of political signs. Provision (a) may override this guidance because the law states that NO political sign may be located in a public right of way.
- e) When a sign must be removed from a public right of way, the following procedure will generally be followed:
- 1) The code officer will photograph and document the location of the sign and the violation of code.
 - 2) The sign will be removed from the right of way and returned to City Hall (Public Works complex in the case of large signs).
 - 3) The documentation and notice that a sign has been removed will be provided to the City Clerks office.

This policy and interpretation is authorized pursuant to LDC Section 6-09
"Interpretation"

Anthony Caravella, Director of Development Services

Date

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POLITICAL SIGN LOCATION GUIDANCE AND POLICY



For your information - to comply with City Code requirements I took the opportunity to relocate the political sign from the public right of way onto your property. Listed below are the guidelines and regulations regarding political sign placement in the City.

Thank you

City of Cocoa Beach Code Enforcement

- NO political sign is authorized or compliant with City Code if such sign is located on a public right of way. City staff, in order to enforce this code requirement, has the authority and direction to remove political signs if such signs are located on city-owned property or within the right of way (outside private property).
- Only political signs less than 6 square feet are exempt from permitting. Any larger sign must be permitted and compliant with requirement of sign size, location, and number in the zoning district where such sign is located.
- If a sign is found to be located on public right of way, and such sign is on right of way that abuts private property, the code officer is authorized to relocate that sign from the public right of way to the abutting private property. Generally, it is assumed the right of way line is abutting the property (building) side of a sidewalk, or if no sidewalk is present, then eight to ten feet (3 giant steps) from the edge of curb is considered the right of way line. This provision is only for guidance regarding location and relocation of political signs. The first bullet above may override this guidance because the law states that NO political sign may be located in a public right of way.
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