

Ray Bagshaw
Mayor

Pamela Henley
Council Member

John Dowless
Council President

Dan Drummond
Council Member

Neil Powell
Council Member

Michael Hendrix
Council Member

**CITY COUNCIL AGENDA
REGULAR MEETING
City Hall – Council Chamber
405 Larue Avenue, Edgewood, Florida
Tuesday, December 16, 2014
6:30 p.m.**

WELCOME! We are very glad you have joined us for today's Council meeting. If you are not on the agenda, please complete an appearance form and hand it to the City Clerk. When you are recognized, state your name and address. The Council is pleased to hear relevant comments; however a five-minute limit has been set by Council. Large groups are asked to name a spokesperson. Robert's Rules of Order guide the conduct of the meeting. PLEASE SILENCE ALL CELLULAR PHONES AND PAGERS DURING THE MEETING. "THANK YOU" for participating in your City Government.

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL & DETERMINATION OF QUORUM

E. PRESENTATION(s)

1. **Pgs. 1 - 23** – University of Central Florida – Redefining a City

F. CONSENT AGENDA

1. **Pgs. 24 - 29** – November 18, 2014 – City Council Regular Meeting Minutes

G. ORDINANCES – FIRST READING & PUBLIC HEARING

H. PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

1. **Pgs. 30 - 34** - ORDINANCE NO. 2014-09: AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 34, "LICENSES AND BUSINESS REGULATIONS," CREATING ARTICLE VI "MOBILE VENDING" IN THE CITY OF EDGEWOOD CODE OF ORDINANCES; PROHIBITING MOBILE FOOD SERVICE OPERATIONS AND MOBILE SALES OPERATIONS; PROVIDING EXEMPTIONS; PROVIDING DEFINITIONS; PROVIDING FOR REGULATIONS OF ALLOWED MOBILE FOOD SERVICE OPERATIONS AND MOBILE SALES OPERATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND REPEAL OF CONFLICTING ORDINANCES, AND ESTABLISHING AN EFFECTIVE DATE.

I. UNFINISHED BUSINESS

1. **Pgs. 35 - 72** - Sign Code
2. **Pgs. 73 - 96** - City of Edgewood Accounting Manual

J. NEW BUSINESS

1. **Pgs. 97** - March 10, 2015 Municipal Election: At least 75 days prior to election day, the council shall announce the date of election
2. **Pg. 98 - 101** - Request for a Sign Variance – Application #2014-06; Applicant Save A Lot Food Stores

K. GENERAL INFORMATION (No action required)

L. CITIZEN COMMENTS

M. BOARDS & COMMITTEES

N. STAFF REPORTS

City Attorney:

Police Chief:

City Clerk:

O. MAYOR & COUNCIL REPORTS

- Mayor Bagshaw
- Council President Dowless
- Council Member Powell
- Council Member Henley
- Council Member Drummond
- Council Member Hendrix

P. ADJOURNMENT

UPCOMING MEETINGS:

January 12, 2015.....Planning & Zoning Board Meeting
January 20, 2015..... City Council Meeting

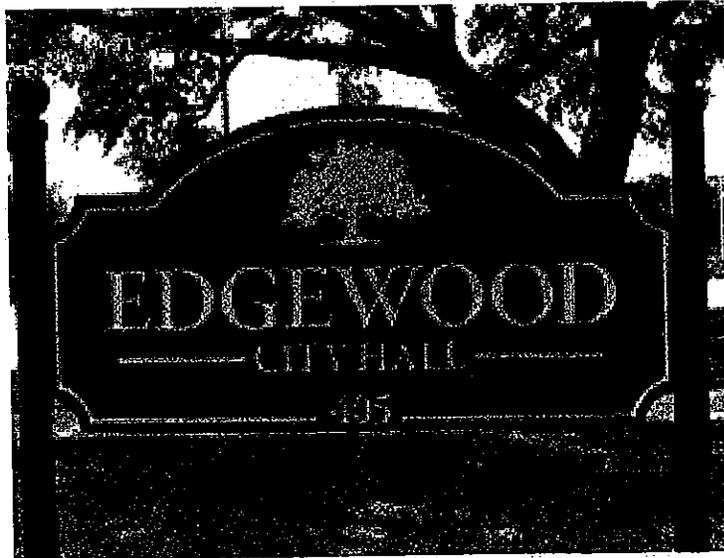
You are welcome to attend and express your opinion. Please be advised that Section 286.0105, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made. In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the City Clerk at (407) 851-2920.



Re-defining a city: A case study for future charter revision and governance –

The City of Edgewood, Florida

Lauren Cantrell, Scott Johnson, Michele Jones, Ruth Long, and Andrea Rodriguez



Abstract

This case study explores public governance concepts as related to community charters, brand identity and the development of small towns, with a focus on the City of Edgewood. In an effort to provide suggestions and recommendations that will improve future charter revisions for the City of Edgewood, articles found in academic journals, books, and news reports were analyzed and reviewed. Also, phone and email surveys collected from city officials working in cities with various similarities to Edgewood, such as: population growth, income, and recent charter revisions provided additional information. In partnership with the City of Edgewood, the research emphasis was focused to provide recommendations for the future revision of the current charter in order to promote city identity through branding and recognition, ensure an efficient and effective governing structure, and identify avenues for future growth and development.

Keywords: charter revision, brand identity, city growth, policy process, public governance, term length and limitations

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Introduction

The City of Edgewood, Florida is seeking recommendations for future charter revision to enhance public governance and the growth for their community. Through the use of a comparative analysis, comparing the current charter of the City of Edgewood, alongside charters from cities of similar sizes, location and demographics, it is felt that this will lead to guiding the city to a clear understanding of the best ways to maintain the city's independence and small town atmosphere while considering new and future opportunities for brand identity, growth and development.

This paper will include knowledge gained from an examination of the current city charter of the City of Edgewood, along with an analysis of the historical and current environmental and demographics. This data will be supplemented with a review of sound public governance methods and policies through a literature review focused on community charters, community brand recognition, and small town structures.

Additionally, this research paper will provide a comparison and include the results of surveys from eight cities of similar size and demographics highlighting differences in charters and city initiatives that will hopefully be beneficial for Edgewood giving them the option to mirror and possibly implement differences noted in other cities into future charter revisions, creating the groundwork for more strategic future planning and policy implementation. Through these methods of analysis and a literature review of sources, along with surveys collected from city representatives, a series of recommendations will be provided to the City of Edgewood for their consideration for future charter revisions.

Current Charter History

The first charter for the City of Edgewood was submitted to the State of Florida in 1969 (City of Edgewood, 2014). In 1975, the original charter was amended, to provide the City of Edgewood with “all governmental, corporate and proprietary powers to enable it to conduct municipal government, perform

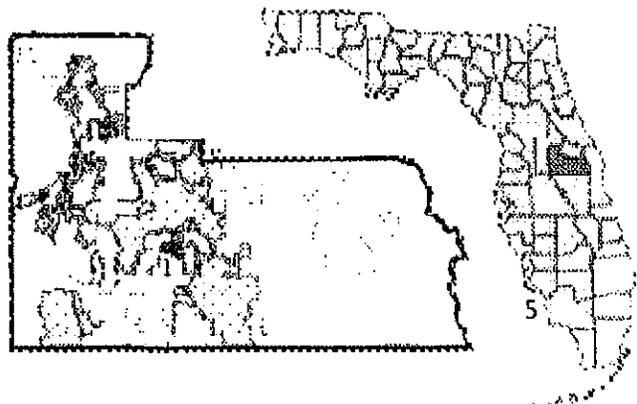
municipal functions, and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law” (Municode, 2006, Section 1.02). This led to the creation of the City Council, which consists of five community members of upstanding character and influence to be elected to the City Council by the qualified voters of the city. The Mayor is also elected in the same manner. (Municode, 2006, Section 3). The city charter allows each City Council member and the Mayor to hold office for a term of two years, and no elected official may hold two electoral positions/offices at the same time. Currently, there are no established term limits for either the council members or the mayor; meaning that they can be re-elected repeatedly, and there is no salary provided to individuals who serve in these elected roles (City of Edgewood, 2014).

The city of Edgewood is currently looking to strategically revise the city charter, and in order to do this, must follow Section 3.21 of the current charter, when creating a Charter Review Commission (CRC), which states the council president may recommend at least seven citizens to be assigned to the CRC. It has been noted that the charter has been revised every seven years since in 2002, with the next charter revision scheduled for 2016. In keeping with the charter regulations, the CRC is established on May 1st of the revision year, and the draft revisions are distributed to the City Council members by the first day of October of the same year (Municode, 2006, Section 3.21).

About Edgewood

Locality

The City of Edgewood, FL is located approximately three miles south of the urban metropolis of Orlando, FL. Approximately 2,600 residents call Edgewood home, and more than 350 retail, commercial and



industrial businesses thrive within the community. Edgewood is surrounded by the city of Orlando to the north, Lake Jessamine to the southwest, Lake Mary Jess to the south-southwest, Little Lake Conway to the southeast, Lake Gatlin to the east, Lake Jennie Jewel to the northeast, and Orlando's urban sprawl along the remaining border area. The main transportation artery through Edgewood is Orange Avenue, giving easy access to many business locations.

Cultural Conditions

According to the 2010 United States Census, the city of Edgewood had 2,503 residents, with the median age at 42.5 years. Three quarters of the population is older than 21 years at 76.1%, and of those 14.8% are older than 65 years. The majority of the population identifies as one race (97.3%), with 79.5% identifying as Caucasian, 10.6% as African American, 4.4% as Asian, and .2% as American Indian and/or Alaska Native. As well, 13.4% of the population of Edgewood identifies as Hispanic. Of the 983 households in Edgewood, 68.8% identify as family households, with 57% consisting of husband-wife families, and 11.8% consisting of single head of household families. There are 30.9% of households in Edgewood with individuals under 18 years of age, and 27.3% with individuals 65 years and older. The majority of housing units (82.9%) are owner-occupied, while 17.1% are renter-occupied homes (American Fact Finder, 2010).

In response to wanting to grow and the majority of the population under the age of 65, the City of Edgewood is moving ahead technologically for a town of its size. It currently maintains a well-designed website, which is user friendly and maintains historical information for all documentation which a resident might need. In order to comply with the Sunshine Laws and serve as a transparent government system, the city provides residents with city council agendas and minutes, planning and zoning board meeting agendas and minutes, their Comprehensive Plan, ordinances, proclamations and resolutions in an easy to access format. Also, the City of Edgewood utilizes social media outlets, such as their Facebook page and website to keep in touch with the population at large.

The city also publishes a quarterly newsletter called Edgewood Exclusive. The Edgewood Exclusive shares information concerning city projects, upcoming events, and any other items of interest as deemed by the Mayor and Council Members (City of Edgewood, 2014). This ability to utilize both internet as well as a quarterly newsletter, lends strongly to the small-town “close-knit” community atmosphere, yet makes the city more accessible to the surrounding urban development of downtown Orlando.

Economic Conditions

The City of Edgewood seeks to encourage residents in fiscal responsibility and to be financially engaged in the community through open budget workshops and hearings. The total budget for Edgewood during the 2013-2014 fiscal year was \$3,660,557, and the main source of revenue for the city comes from Orange County’s Ad Valorem taxes. This is a .09% increase from the 2012-2013 fiscal year showing positive economic growth and the potential for new initiatives. The city maintains a transparent Capital Improvement Plan and Comprehensive Plan which alongside the budget, drives the operations and financial decisions of the city (City of Edgewood, 2014). (Do we know the amount of residents that own businesses in the town? What percentage?)

Political Conditions

The City of Edgewood is a Mayor-Council form of municipal government, with a strong mayor who serves as the Chief Executive Officer. The Council is elected separately from the Mayor, and retains their legislative powers, while the mayor has veto power, has a hand in the budget preparation, and oversees the daily operations of the city (DeSantis & Renner, 2010).

In Edgewood, there is no appointed city manager, which lends to the strong mayor municipal government type, and there are three paid staff that work for the city – the City Clerk, the Administrative Assistant and the Code Enforcement Officer. Neither the mayor nor the Council are paid. The Edgewood Police

Department is the city's sole department, and the Chief of Police reports directly to the Mayor and is supported by the city budget (City of Edgewood, 2014).

The review of the demographics of the City of Edgewood, led to the city selection for survey and charter review. According to the theory of innovation and diffusion, cities considering charter reform often look to cities of similar size for guidance and recommendations. In other words, officials take notice of the solutions that cities of similar size create to deal with social issues (McDonald & Gabrini, 2014). Many cities in the Central Florida area no longer are chartered and have chosen to become regional and county-governed, versus having their own individual charter. This led to a smaller case study, simply due to the fact that the research was specifically for the purpose of city charter revision, strategically focusing on cities with charters that have the same/similar growth and demographics to the City of Edgewood. The cities that were chosen, along with a quick view of their demographics can be seen in Figure 1.

Literature Review

Cities are in a constant state of evolution and it is important when choosing to make revisions and changes to an existing charter economic, environmental, and social trends are taken into account as public needs vary and city public administrators are expected to resolve unique challenges and maintain order in a timely and effective manner. City government must also be strategic in policy creation and how changes are incorporated when adhering to the rule of law. The guidelines established through the city charters help safeguard the city, although sometimes the process can become slower than expected and lead to potential conflict if not communicated properly. The goal of the City of Edgewood is to have stable and positive growth, which is made possible through legislation that leads to economic development and increased social well-being. The review of scholarly articles and past research found in peer-reviewed journals, news reports, and books specific to public management and public policy which provided insight into city charters and effective city management practices.

Background

Charters are often called “mini-constitutions.” These written documents serve as a means to distribute power, privileges, and duties to individuals at the city or county level rather than the state level. Charters provide the opportunity for citizens to be more pro-active in government structure and management with the ability to reform processes in a way that uniquely fits the community, much more so than if it were up to the county or the state to manage. City charters and a council-mayor structure were thus seen as beneficial to cities because they increase cohesion and homogeneity among citizens while increasing the reliance of citizens on local government services “as the rigidity and durability of state laws make it difficult for local governments to adapt and make decisions that match local preferences. (Rubin, 2006)

Due to state regulations, non-charter cities are limited in the services they can provide to citizens (McDonald & Gabrini, 2014).

Despite the benefits charters might provide, the theory of constitutional contracts states that every contract is associated with costs as well. Through charters, citizens can establish a form of government that minimizes costs, while providing optimal benefits for their area. For this reason, citizens should use great consideration when creating reforms and establishing charter changes. For instance, a city additional services to improve the well-being of citizens, might need to increase the tax burden on citizens to pay for these improvements. While citizens have the ability to increase their services through charter changes, the structure of these changes might also constrain development (McDonald & Gabrini, 2014).

History of City Charters

The original Model City Charter was established by the National Municipal League (known today as the National Civic League) in 1894 as an effort to reform government through administrative responsibility, increased social legislation, and enhanced direct democracy. Through these reforms, the National League of Cities (NLC) hoped to increase competence of city government and better democratic legitimacy. The original Model City Charter featured a mayor-council system in which the mayor would be elected and

paid, possess the power to veto, and serve for two years. The elected council members would serve voluntarily on staggered six-year terms. This charter recommended the election of anywhere between nine and fifty members to serve on the city council (Stout, 2014).

With time, the Model City Charter evolved in 1915 Richard S. Charles introduced the country to the first council-manager plan. The Model City Charter of 1915 recommended the election of a small nonpartisan council who would select an executive to oversee all administrative city matters. The chosen mayor would have no veto power and would serve a one to two year term. The Model City Charter was completely revised in 1937 as a result of advances in planning, finance, zoning, housing, personnel, public utilities, and elections (Stout, 2014). City charters and the “council-mayor” structure of city governance became popular after World War II, “as the infrastructure of the cities was in a state of neglect, and technical problems seemed to require competent staff and an activist approach” (Rubin, 2006). Many public administrators of the 21st century still refer to the current Model City Charter when making revisions. As previously mentioned; time, location, demographic and societal changes make a universally effective model charter impossible to create. Since every city faces unique challenges, there is no one-charter-fits all document. City charters should be created to best suit the needs of constituents (Frederickson, Wood, & Logan, 2001).

Today, there are three main forms of city charters: the commission form, the council-manager form, and the mayor-council form. The rarest of these is the commission form; cities with this type of structure allow for three to five elected officials to have responsibility of both legislative and executive matters. The council-manager form calls for an election of council members who work together to choose a city manager who will, in turn, lead all city departments. The mayor-council form promotes a “checks and balances” system in which all executive responsibility falls upon the elected mayor and all legislative powers fall upon the elected council (Frederickson, Wood, & Logan, 2001). Despite the type of administration structure established, the importance of civic activism and citizen involvement should be present in all city charters.

Promoting Civic Activism from the Administrative Level

According to the United Nations, in order to promote healthy and sustainable development in economic, environmental, and civic affairs, cities must encourage citizen participation. This type of participation can be encouraged and facilitated through “Adaptive Decision Strategies” which establish “integrative” and “cross cultural” consensus-building processes, which are strategically designed by local authorities and then communicated effectively to local citizens and organizations creating a cohesive governmental structure (Gibson, Ivancevich, et.al, 2009). When individuals are enabled to define issues of concern, make decisions that will affect their livelihood, suggest policy reform, and assist in the development practices in an active manner, they will feel empowered and be more willing to give back to their community. Additionally, collaborative governance through citizen empowerment leads to community change and development. Inviting diverse organizations and individuals into the planning process allows for a broad range of issues to be discussed (Heritage & Dooris, 2009). Heritage and Dooris (2009) suggest a three-step approach to encourage collaborative governance among diverse individuals and organizations. Government organizations must: provide transparency in budgeting, the strategy, and the space for community level development at a grass roots level, establish networks that allow citizens to engage in public discourse, and must stay committed to assisting grassroots efforts of widespread community change (Heritage & Dooris, 2009).

Citizen (or public) engagement within cities is beneficial as it leads to a more informed and energetic citizenry. Public engagement is most rewarding and beneficial when citizens are well informed on issues. Citizens that lack understanding on issues and the policy making process are more likely to be influenced or manipulated. Additionally, citizen engagement allows citizens to help shape government actions by providing unique insight on community issues from individuals with diverse perspectives. Citizen engagement can improve the health of democracy within a city by producing policies that withstand long periods of time, reducing the threat of special interests in the policy making process, establishing committee’s constituencies, and increasing the trust in government. As city leaders, public administrators

are responsible for creating an infrastructure that supports civic discourse and citizen participation.

According to Lukensmeyer (2013), local mandates should be established that enforce civic participation (Lukensmeyer, 2013). Highlighting the importance of civic participation in a city charter is an innovative way to encourage citizen involvement.

Methodology and Data Analysis

This paper will examine the following research questions in order to provide recommendations to the City of Edgewood on their 2016 charter revision:

What forecasted impacts were realized in similar sized cities across Florida when charter revisions were implemented?

Which core concepts of public governance can be applied to Edgewood in order to meet the vision of the city?

Are there any local, regional or statewide programs or committees that could assist Edgewood in reaching the mission and strategic vision of the elected officials?

Relevance and Significance

This research paper is important because it engages the elected officials of Edgewood to examine, analyze and discuss important changes that can be made to the city charter which would promote growth, branding and citizen involvement. As a city it is important to reflect on the charter to determine what elements are and are not working. This research paper examines relevant research and how it can be applied to facilitate discussion on city charter changes. This paper will also utilize interviews with similar size cities to determine what they are doing that differs from Edgewood to assist with the discussion on city charter changes. It significantly important that cities often review and analyze their charters to keep relevant with changes to the city; this allows for the city to be proactive towards issues versus reactive.

For this research paper a mixture of literature analysis and interview were chosen to best answer the research questions and to facilitate a discussion on city charter reviews. The literature gave an overview and history of city charters, explores methods of increasing civic activism and gives an in-depth review of the city of Edgewood's charter. An interview with similar cities was also conducted to further support the research and facilitate discussion. The cities chosen for the interviews were cities of similar land and population sizes. These cities were Arcadia, Belle Isle, Center Hill, Chipley, Okeechobee, Palmetto, Parker and Tavares. All the cities chosen with the exception of Belle Isle have a mayor-council style of government. Belle Isle was chosen because the City of Edgewood specifically asked that they be interviewed. The largest city interviewed in terms land area is Palmetto with 5.37 square miles versus Edgewood with 1.50 square miles, Tavares has the largest population with 12,951 individuals versus Edgewood with 2,503 and Belle Isle has the largest median household with \$71,270 versus Edgewood with \$56,528; figure 1 provides an in-depth chart of all the cities.

Each city was interviewed either by telephone or through an email questionnaire. All participants were asked the same questions in an open-ended format. The questions were chosen to look at incorporation, term limits, city structure and city income factors. The overall goal was to help facilitate discussion and help to identify what other cities are doing different that could prove beneficial to Edgewood; a list of questions can be found in figure 2 and in the appendix. The interview protocol for asking questions, over the phone, involved information and credentials about the interviewer, a brief background of the purpose of our research, and a thank you statement for their time and collaboration. The protocol for asking questions via email were similar with the addition of a submission deadline for email responses, and formatting the questions in a word document that includes background information of the interviewer, the time and date of the request, space between the questions to record responses, contact information for any follow-up questions and a sincere thank you statement acknowledging their time and support.

Figure 2: City Interview Questions

Question 1:

Do you use a charter or are you incorporated? Why did you choose this method of governance?

Question 2:

How many elected officials do you have and how was the number of elected officials determined?

Question 3:

What are the term lengths of your elected officials? Why did you decide on this term length?

Question 4:

What is the term limit of your elected officials? Why did you decide on this term limit?

Question 5:

As a city, what is encouraging the most growth economically and demographically?

Question 6:

What is your city's largest income generator?

Question 7:

How did you choose your charter review commission?

Question 8:

How many residents were on the commission and who chose them?

“The process of data analysis involves making an interpretation of the larger meaning of the data” (Creswell, p. 183). However, there are both advantages and disadvantages with the collection of qualitative data through phone and email interviews. The advantages are that researchers can control the line of questioning and access information that may not be readily available on the cities websites. Disadvantages include information filtered through the views of the interviewees and biased responses. Another limitation was the lack of participation by the primary targeted city of Belle Isle and the short and un-elaborated answers by the remainder cities. On the other hand, the literature review should fill any gaps or inconsistencies found in the interviews. Over all the research yielded answers from four of the eight cities interviewed which is provided a fifty percent response rate.

Conclusions/Recommendations:

Both the literature review and the interview research provided data that gives insights into what impacts were realized in similar cities across Florida when charter reviews were implemented, how core concepts of public governance can help Edgewood elected officials reach the mission and strategic vision of the city and what resources can be utilized by the City of Edgewood to provide support. In the cities interviewed of similar size, charter reviews are either not performed or it is handled by the city administration with help by the elected officials. The core concepts of public governance that can help Edgewood elected reach the mission and strategic vision of the city can be found in the literature; these concepts include promoting city activism. Finally resources that can further support the city although not mentioned in the interviews or literature review would be to create partnerships with the University of Central Florida, and to work with the Florida League of Cities.

With the charter review in 2016, currently according to Section 3.21 of the current charter, the council president may recommend at least seven citizens to be assigned to the Charter Review Commission, which may occur every seven years starting in 2002. (Municode, 2006, Section 3.21). It is suggested by this research paper to increase citizen involvement that the charter be revised to

recommending at least 15-20 registered voters of good standing within the community to the commission of diverse background that represent every area of the Edgewood population regardless of race, age, weight, sexual orientation, or gender. To further promote citizen activism and help city elected officials the literature suggests the creation of committees; more specifically the creation of task forces. Task forces are a short term, goal specific board of citizens that are charged with bringing solutions to an issue or project related to the city. To promote a more effective elected body, the interview surveys show that the majority of the cities have chosen to have four year term lengths; four year term limits allow for elected officials to work on long term projects and provide for elections that coincide with general governmental elections. Finally it is suggested the City of Edgewood build and maintain a working partnership with the University of Central Florida (UCF); UCF can provide the city with research, unpaid interns, and volunteers.

In closing, the City of Edgewood is a small city that is anticipating growth as the metropolitan area that surrounds it grows. The elected mayor-council form of government is proactive, promotes citizen involvement, promotes ongoing communication with its citizens and seeks to growth and provide better branding, and an effective and efficient government. It is suggested by this research paper that the city of Edgewood increase its citizen participation of the charter review by expanding the committee from seven to fifteen to twenty citizens. The research suggest that this review committee consider changes to length of elected official terms from two years to four years. Another suggested change is the creation or the ability for the elected officials to create citizen task forces. Finally this research paper suggest that the City consider an ongoing partnership with the University of Central Florida to provide the city with research, student interns and volunteers.

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Appendix A: Cities Selected for Survey

Figure 1: Selected City Demographics

City Name	Government Type	Land Area (Sq. Mile)	Population (2012)	Persons per Sq. mile	Median Household Income
Arcadia	Mayor-council	4.08	7,637	1871.40	\$ 30,449.00
Belle Isle	Council-Manager	2.33	5,988	2573.30	\$ 71,270.00
Center Hill	Mayor-council	1.80	988	531.80	\$ 29,830.00
Chipley	Mayor-council	4.10	3,605	872.50	\$ 21,686.00
Edgewood	Mayor-council	1.50	2,503	1700.00	\$ 56,528.00
Okeechobee	Mayor-council	4.07	1,381	1381.40	\$ 43,106.00
Palmetto	Mayor-council	5.37	12,600	2347.50	\$ 36,469.00
Parker	Mayor-council	1.90	4,317	2272.10	\$ 35,813.00
Tavares	Mayor-council	9.50	13,951	1468.20	\$ 39,100.00

Appendix B: City Surveys

Center Hill

City Representative: Diane Lamb

City Representative Title: City Clerk

Contact Info:

Interviewer: Scott Johnson

Questions:

1. Do you use a charter or are you incorporated? Why did you choose this method of governance?
Answer: Charter, unsure why they chose charter. City was incorporated in the 1800's,
2. How many elected officials do you have and how was the number of elected officials determined? Answer: 5 council and a Mayor per their charter
3. What are the term lengths of your elected officials? Why did you decide on this term length?
Answer: 4 years to coincide with the general election to help with cost
4. What is the term limit of your elected officials? Why did you decide on this term limit? Answer:
No term limits
5. As a city, what is encouraging the most growth economically and demographically? Answer:
Currently no growth
6. What is you city's largest income generator? Answer: Water Department (fees)
7. How did you choose your charter review commission? Answer: Don't have one
8. How many residents were on the commission and who chose them? Answer: N/A

Chipley, FL

City Representative: Dan Miner City

Representative Title: City Administrator

Contact Info: dminer@cityofchipley.com Phone: (850-638-6350)

Interviewer: Ruth Long

Questions:

1. Do you use a charter or are you incorporated? Why did you choose this method of governance? Answer: ARTICLE I. - IN GENERAL Sec. 1. - Validation of incorporation—1885. All of the acts done and performed in the organization and incorporation of the Town City of Chipley, in the County of Washington, are declared to be valid and legal in law and equity, and to be considered valid and binding by laws of the State of Florida. (Fla. Laws 1885, c. 3637, § 1) Sec. 2. - Same—1901. The Town City of Chipley, in the County of Washington, incorporated under the general law for incorporating towns in this State, is hereby declared to be in all respects a legally incorporated town, with all the powers incident thereto under the laws of this State. (Fla. Laws 1901, c. 5077, § 1)
2. How many elected officials do you have and how was the number of elected officials determined? Answer: Sec. 2-4. - City council composition. There shall be a city council of five (5) members, who shall be electors of the city, elected by electors of the city. There shall be one (1) member elected from each of the four (4) wards and one (1) member elected at large. (Ord. No. 789, § 4, 10-13-98)
3. What are the term lengths of your elected officials? Why did you decide on this term length? Answer: Sec. 2-7. - Elections and terms. The regular election of city council members shall be held each year in the manner provided in Article IV of this chapter. Terms of office for council members shall be two (2) years. Three (3) council members shall be elected in every even numbered year and two (2) council members shall be elected in every odd numbered year. (Ord. No. 789, § 4, 10-13-98)
4. What is the term limit of your elected officials? Why did you decide on this term limit? Answer: No term limit at this time.
5. As a city, what is encouraging the most growth economically and demographically? Answer: Located along Interstate 10, CSX Railway, State Road 77 that leads to Sea Port.
6. What is your city's largest income generator? Answer: General Fund, Ad-Valorem Tax
7. How did you choose your charter review commission? Answer: We are a City Administrator Form of Government and updates are handled by the City Administrator via the Chipley City Council.
8. How many residents were on the commission and who chose them? Answer: N/A

Palmetto, FL

City Representative: Deanna Roberts

City Representative Title: Mayor's Assistant

Contact Info: Email: droberts@palmettofl.org Phone: (941) 723-4500

Interviewer: Ruth Long

Questions:

1. Do you use a charter or are you incorporated? Why did you choose this method of governance?
Answer: We are incorporated and we have a City Charter. (Current charter was forwarded to you.)
2. How many elected officials do you have and how was the number of elected officials determined? Answer: Originally we had a Mayor and three ward representatives. In 1989 we added two at-large commissioners. So, now we have a total of six elected officials.
3. What are the term lengths of your elected officials? Why did you decide on this term length?
Answer: Our Mayor and Commissioners are elected to four-year terms with staggered terms. Four years to coincide with the state elections.
4. What is the term limit of your elected officials? Why did you decide on this term limit? Answer: No term limits.
5. As a city, what is encouraging the most growth economically and demographically? Answer: Amenities such as our parks are attracting people and events. Sutton Park has been redesigned with a stage and July 4 concerts with nationally famous bands draw thousands of visitors. CRA incentives to relocate businesses bring in businesses and people: It Works Global, Manatee County Rural Health Services and Early Learning Coalition were the most recent.
6. What is your city's largest income generator? Answer: Ad valorem taxes: \$3.7 million and Water/Sewer revenue: \$6.1 million
7. How did you choose your charter review commission? Answer: The Mayor and each Commissioner appointed two residents to the Committee.
8. How many residents were on the commission and who chose them? Answer: Twelve/above

City of Parker

City Representative: Nancy Rowell

City Representative Title: City Clerk

Contact Info:

Interviewer: Scott Johnson

Questions:

1. Do you use a charter or are you incorporated? Why did you choose this method of governance?
Answer: Use a charter because they are incorporated. Chosen by founders in 1967
2. How many elected officials do you have and how was the number of elected officials determined? Answer: Five Council Members. 3 wasn't enough and 7 was too many. Odd number is always best.
3. What are the term lengths of your elected officials? Why did you decide on this term length?
Answer: Council Members 4 years, Mayor is 2 years. Unknown, the Charter says so
4. What is the term limit of your elected officials? Why did you decide on this term limit? Answer: No term limit, Charter says so.
5. As a city, what is encouraging the most growth economically and demographically? Answer: Nearby Air Force Base
6. What is your city's largest income generator? Answer: Water and sewer revenues from City owned utility
7. How did you choose your charter review commission? Answer: The City does not currently have a Charter Review Commission
8. How many residents were on the commission and who chose them? Answer: N/A

Tavares, FL

City Representative: Nancy Barnett

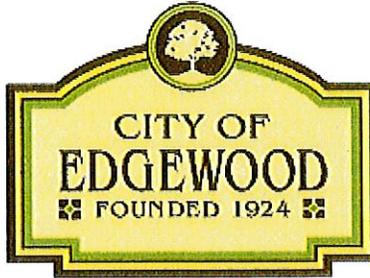
City Representative Title: City Clerk

Contact Info: Email: nbarnett@tavares.org Phone: (352) 742-6209

Interviewer: Ruth Long

Questions:

1. Do you use a charter or are you incorporated? Why did you choose this method of governance?
Answer: Both. We are a municipal corporation and we have a charter. Town of Tavares was incorporated in 1919 and by Special Act of legislature, became the City of Tavares, a municipal corporation on June 12, 1959
2. How many elected officials do you have and how was the number of elected officials determined? Answer: Five. At one time there were six including an elected mayor. By voter referendum which passed in 2000, the number of positions was changed from six to five with the elected mayor position eliminated. Our mayor and vice mayor is now elected from within by Council as a result of that referendum.
3. What are the term lengths of your elected officials? Why did you decide on this term length?
Answer: Two years. Presumably the matter was taken to the voters when the charter was approved. In the past 16 years the matter has gone to the voters at least twice to increase the term to four years but has never passed and continues to be two years.
4. What is the term limit of your elected officials? Why did you decide on this term limit? Answer: None
5. As a city, what is encouraging the most growth economically and demographically? Answer: Tavares Seaplane Base
6. What is your city's largest income generator? Answer: Florida Hospital largest employer
7. How did you choose your charter review commission? Answer: The last Charter Review Committee was in 1995. The President of the Council appointed the committee made up of members of the community and himself. Since 1995 there have been some specific charter amendments but just done by Council through ordinance and then put on the ballot.
8. How many residents were on the commission and who chose them? Answer: Four (Mayor)



**MINUTES
EDGEWOOD CITY COUNCIL REGULAR MEETING
NOVEMBER 18, 2014**

CALL TO ORDER

On Tuesday, November 18, 2014, Council President Dowless called the Edgewood City Council meeting to order at 6:30 p.m. The invocation was given by Council Member Powell followed by the Pledge of Allegiance.

The following attendance is noted:

CITY COUNCIL MEMBERS

Ray Bagshaw, Mayor (Quorum)
John Dowless, Council President
Neil Powell, D.D.S., Council Member
Pam Henley, Council Member
Dan Drummond, Council Member
Mike Hendrix, Council Member

STAFF

Bea Meeks, City Clerk
Chris Francisco, Police Chief
Andrew Hand, City Attorney

City Clerk Meeks announced a quorum with all Council members present.

PRESENTATION(s)

1. Officer Tim Cardinal – Vehicle Maintenance Software

Chief Francisco introduced Officer Tim Cardinal, who gave a PowerPoint presentation on Fleetio, a vehicle maintenance program.

CONSENT AGENDA

1. October 21, 2014 – City Council Regular Meeting Minutes
2. October 29, 2014 – City Council Workshop Minutes

RESULT: APPROVED [UNANIMOUS]

MOVER: Council Member Powell
SECONDER: Council Member Henley
AYES: Council Members Powell, Drummond, Henley, Hendrix and Dowless

ORDINANCES – FIRST READING & PUBLIC HEARING

1. **ORDINANCE NO. 2014-09: AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 34, “LICENSES AND BUSINESS REGULATIONS,” CREATING ARTICLE VI “MOBILE VENDING” IN THE CITY OF EDGEWOOD CODE OF ORDINANCES; PROHIBITING MOBILE FOOD SERVICE OPERATIONS AND MOBILE SALES OPERATIONS; PROVIDING EXEMPTIONS; PROVIDING DEFINITIONS; PROVIDING FOR REGULATIONS OF ALLOWED MOBILE FOOD SERVICE OPERATIONS AND MOBILE SALES OPERATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND REPEAL OF CONFLICTING ORDINANCES, AND ESTABLISHING AN EFFECTIVE DATE.**

City Attorney Hand gave the first reading of Ordinance 2014-09 in title only.

Council Member Drummond questioned “what is a single parcel”, as referenced in the Ordinance. City Attorney Hand said a parcel is based on the parcel ID. City Clerk Meeks said her interpretation of this paragraph is that only one mobile vendor can be on site. Mayor Bagshaw explained how another mobile vendor can be at the site if it is a special event, i.e. grand opening.

Motion by Council Member Powell to approve the first reading of Ordinance 2014-09; Seconded by Council President Dowless.

Council President Dowless opened to Public Hearing:

Jim Worthen questioned the reference to 5 minute parking (page 22 of the agenda; Line 149). Council President Dowless said this refers to ice cream trucks. Mayor Bagshaw pointed out that the streets Mr. Worthen is referring to are County and State roads. Chief Francisco said that the vehicle can get off the road and not impede traffic. Mr. Worthen asked to add the names of the roads (Gatlin, Holden and Orange Avenue). Council President Dowless said he is not certain he wants to add streets by name. *It was the consensus of Council to ask City Attorney Smith to clarify this paragraph.*

The Motion passed with the following roll-call vote (5/0):

<i>Council Member Hendrix</i>	<i>Favor</i>
<i>Council Member Drummond</i>	<i>Favor</i>
<i>Council President Dowless</i>	<i>Favor</i>
<i>Council Member Powell</i>	<i>Favor</i>
<i>Council Member Henley</i>	<i>Favor</i>

City Clerk Meeks announced that the second and final reading will be December 16, 2014.

**2. A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA
AMENDING THE CITY'S BUDGET FOR THE 2013-2014 FISCAL YEAR;
AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE TO TAKE ALL
ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS
OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney Hand read Resolution 2014-10 in title only

Mayor Bagshaw reported that Tammy, who oversees the City's accounting, is an auditor for McDermit-Davis, and she prepared the amendment. He said the amendment is based on Tammy's findings and recommendation. Mayor Bagshaw explained that the red light citations were lower than what was budgeted however, revenues exceeded expenditures, and those funds were re-appropriated to balance the fiscal year end budget.

Motion by Council Member Powell to approve Resolution 2014-10; Seconded by Council Member Hendrix.

Open for public hearing. No comments.

<i>The Motion passed with the following roll-call vote (5/0):</i>	
<i>Council Member Henley</i>	<i>Favor</i>
<i>Council Member Powell</i>	<i>Favor</i>
<i>Council President Dowless</i>	<i>Favor</i>
<i>Council Member Drummond</i>	<i>Favor</i>
<i>Council Member Hendrix</i>	<i>Favor</i>

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

None.

UNFINISHED BUSINESS

1. Boise Cascade Special Exception Application

Mayor Bagshaw confirmed that Boise Cascade withdrew their application for a special exception. There was no action to be taken in this matter.

2. RE: Sign Code - Schedule Workshop(s)

Mayor Bagshaw said that the City has two residents who are Planners, and are willing to help with a workshop. He said that he discussed with Tina Demostene about a red dot/green dot exercise she did with a Council regarding their sign Code. *It was the consensus of the Council that City Clerk Meeks would contact both resident planners to obtain their availability to make a presentation.*

NEW BUSINESS

1. Non- Ad Valorem Assessment Administrative Fee Agreement

City Clerk Meeks reported that the City is in receipt of a Non-Ad Valorem Assessment Administrative Fee Agreement, along with the Invoice. She reminded Council that she provided them with a heads-up on the Agreement in a prior Council meeting. City Clerk Meeks said the initial Invoice was incorrect, as it included Camelot condominiums however, this was corrected. *City Clerk recommended that Council give the Mayor authorization to sign the Agreement.*

RESULT: APPROVED [UNANIMOUS]

MOVER: Council Member Hendrix
SECONDER: Council Member Powell
AYES: Council Members Powell, Drummond, Henley, Hendrix and Dowless

GENERAL INFORMATION (No action required)

None.

CITIZEN COMMENTS

None.

BOARDS & COMMITTEES

None.

STAFF REPORTS

City Attorney:

No report.

Police Chief:

Chief Francisco gave a PowerPoint Presentation of the monthly activity. He also announced that Toys for Tots will be December 13, 2014.

Sgt. Freeburg reported on Fuzz for a Cause, an annual fund raiser the Police Department participates in. He said this year the money raised will be donated to former Edgewood Police Office, now an Orange County Deputy, Andy Reynolds. Sgt. Freeburg explained that Deputy Reynolds has been diagnosed with Stage II cancer. It was noted that Deputy Reynolds and his family have been invited to the employee

luncheon on December 12, 2014. Chief Francisco said that Deputy Reynolds is referred to as the 13th officer because of his backup assistance to the City.

Council Member Drummond made the Motion that the City will match up to \$1500.00 that the officers receive in donations for Deputy Reynolds.

RESULT: APPROVED [UNANIMOUS]

MOVER: Council Member Drummond
SECONDER: Council Member Powell
AYES: Council Members Powell, Drummond, Henley, Hendrix and Dowless

Chief Francisco continued his PowerPoint presentation, including an update on red light citations. He said that he and the Mayor are communicating with the City Attorney regarding any changes that may need to be made to the City's red light camera program. Chief Francisco said there will be some policy changes, and changes to the Contract with GATSO.

City Clerk:

City Clerk Meeks reported that she filed the City's records management compliance with the State. She said to date, the City has disposed of 405 gallons of records. City Clerk Meeks reported that the election qualifying period is January 9, 2015 through January 23, 2015.

In response to Council Member Henley, Chief Francisco said there have been no changes in his department's efforts to obtain an agreement with the County for Cypress Grove Park.

MAYOR & COUNCIL REPORTS

Mayor Bagshaw reported on the following:

- 12/12/2014 Annual Employee Luncheon-Council invited
- 11/27-28, 2014 City Hall Closed for Thanksgiving
- 12/13/2014 Toys for Tots drive
- 12/11/2014 Santa Fly in at 6:30
- 11/20/2014 Light up Edgewood

Mayor Bagshaw also reported that the City Clerk is providing Council with the draft Accounting Manual, for their review and in preparation to discuss in the December Council meeting. Additionally, he reported that Orange County submitted the need quiet zones and Edgewood was included. The Mayor said it looks favorable. He also said that he, the City Clerk, and Police Chief met with Waste Management staff regarding the City's contract, and a few other items. He said he wanted to give Council the heads-up, and will advise as the discussion continues. Lastly, Mayor Bagshaw said he ask Orange County for a joint meeting in January to discuss permitting and other intergovernmental concerns.

It was the consensus of Council that City Clerk Meeks will contact the Supervisor of Elections Bill Cowles regarding a charter referendum for a fee assessment related to quiet zones.

Council President Dowless:

No Report.

Council Member Powell:

Dr. Powell said that the Mayor and he discussed some things the Mayor needed help with otherwise, nothing further to report.

Council Member Henley:

Council Member Henley confirmed that the City sent the Friends of Cypress Grove Park a donation.

Council Member Drummond:

No report.

Council Member Hendrix:

No report.

ADJOURNMENT

Having no further business or discussion, the meeting adjourned at 8:09 p.m.

ATTEST:

John Dowless
Council President

Bea L. Meeks, MMC, CPM
City Clerk

Approved by Council on _____, 2014.

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ORDINANCE NO. 2014-09

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 34, "LICENSES AND BUSINESS REGULATIONS," CREATING ARTICLE VI "MOBILE FOOD SERVICE OPERATIONS" IN THE CITY OF EDGEWOOD CODE OF ORDINANCES; REQUIRING PERMITS AND PROVIDING REGULATIONS APPLICABLE TO MOBILE FOOD SALES AND SERVICE OPERATIONS; PROHIBITING MOBILE FOOD SALES AND SERVICE OPERATIONS FROM PARKING, STOPPING OR STANDING ON RIGHTS OF WAY FOR THE PURPOSE OF CONDUCTING SALES; PROVIDING EXCEPTIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND REPEAL OF CONFLICTING ORDINANCES, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Edgewood hereby finds that mobile food service operations and mobile sales operations present unique challenges; and

WHEREAS, the City Council finds that mobile food service operations and mobile sales operations that park or stop on or adjacent to rights-of-way, can create threats to vehicular and pedestrian safety; and

WHEREAS, the City Council finds that mobile food service operations and mobile sales operations that utilize private property can create disruptions to traffic flow, parking and pedestrian safety; and

WHEREAS, the City Council finds that by regulating certain aspects of mobile food service operations and requiring permits, the City can most effectively address the unique challenges presented by such operations and best protect the public health, safety and welfare.

(NOTE: underline text denotes additions, ~~strike through~~ text denotes deletions and asterisks "*" * *" denote sections of the existing Ordinance which remain unaltered and not reprinted herein).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA:

SECTION 1. Legislative findings and intent. The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this Ordinance.

SECTION 2. Chapter 34, "Sales", Article VI, "Mobile Food Service Operations" is hereby created as follows:

Sec. 34-140. Definitions.

46 For the purposes of this article, the following terms, phrases, words, and their derivations
47 shall have the meanings given in this section. When not inconsistent with the context, words
48 used in the present tense include the future, words in the plural number include the singular
49 number, and words in the singular number include the plural number. The word "shall" is always
50 mandatory and not merely directory.

51
52 Calendar Quarter shall mean the division of the calendar year into four equal parts
53 consisting of: 1) January through March, 2) April through June, 3) July through September, and
54 4) October through December.

55
56 Mobile Food Preparation and Service Operation shall mean the sale or service of food
57 for profit from a portable stand, vehicle or trailer; provided when such food has been cooked or
58 prepared within or upon such portable stand, vehicle or trailer. Each such stand, vehicle or
59 trailer shall be considered a mobile food preparation and service operation. As defined herein,
60 Mobile Food Preparation and Service Operation shall not include any operation conducted not-
61 for-profit, including recreational or charitable stands. The City may request documentation of
62 not-for-profit status prior to issuing any permit hereunder.

63
64 Mobile Prepackaged Food Sales Operation shall mean the sale of prepackaged food for
65 profit that requires no additional cooking or preparation from a portable stand, vehicle or trailer.
66 Each such stand, vehicle or trailer shall be considered a mobile prepackaged food service
67 operation. As defined herein, Mobile Prepackaged Food Sales Operation shall not include any
68 operation conducted not-for-profit, including recreational. The City may request documentation
69 of not-for-profit status prior to issuing any permit hereunder.

70
71 Mobile Food Service Operations shall mean mobile food preparation and service
72 operations and mobile prepackaged food sales operations, collectively.

73
74 Sec. 31-141. Permit Required, Application

75
76 a) No person shall operate a mobile food service operation nor permit a mobile food
77 service operation to be operated on private property within the City without first
78 obtaining a permit from the City.

79
80 b) Applications for mobile food service operations shall be made on a form provided by
81 the City executed by the owner of the mobile food service operation and the owner or
82 tenant of the property upon which the mobile food service will be operated. The
83 application shall include at a minimum:

84
85 1) A copy of the driver's license for each person authorized to operate a vehicle or
86 trailer used in connection with the mobile food service operation;

87
88 2) A copy of all licenses required for the operation of the mobile food service
89 operation; and

91 3) A map or survey of the property on which the mobile food service operation
92 will be conducted showing the location of any proposed stand, vehicle or trailer
93 used by the mobile food service operation as well as all parking spaces, vehicular
94 traffic aisles and pedestrian sidewalks.

95
96 c) The applicant for a mobile food service operation permit shall pay a non-refundable
97 application fee to the City in an amount established by resolution of the City Council.

98
99 d) Permits for mobile food service operations shall be valid for a period of thirty days
100 from the date of issuance.

101
102 e) No more than one permit per calendar quarter will be issued to any single mobile food
103 service operation. The date of issuance of the permit, not the term of the permit, shall be
104 the determining factor in calculating maximum permits per quarter.

105
106 f) No more than one permit per calendar quarter will be issued for a mobile food service
107 operation to be conducted on any single parcel of private property. The date of issuance
108 of the permit, not the term of the permit, shall be the determining factor in calculating
109 maximum permits per quarter.

110
111 Sec. 31-142. Operation upon Private Property.

112
113 Mobile food service operations shall be allowed to operate on private property within
114 the City subject to the following conditions and regulations:

115
116 1) Mobile food service operations shall only be allowed to operate upon
117 developed private property located with C1, C2, C3, Industrial or Commercial PD
118 zoning designations upon which is located a business that has been issued a
119 business tax receipt by the City.

120
121 2) The operator of the mobile food service operation shall maintain a copy of the
122 mobile food service operation permit at the stand, vehicle or trailer at all times
123 during operation.

124
125 3) No more than one mobile food service operation shall be located upon a single
126 parcel at any one time. In the event that the City observes more than one mobile
127 food service operations on a single parcel at the same time, the City shall require
128 all mobile food service operations to cease on said parcel until only one mobile
129 food service operation is located on such parcel.

130
131 4) Mobile food service operations shall not be located in any driveway aisles, no-
132 parking zones, handicapped parking spaces, landscaped area, loading areas, or
133 parking lanes, nor may mobile food service operations impede the on-site
134 circulation of motor vehicles or pedestrians.

136 5) The utilization of any off-street parking spaces by a mobile food service
137 operation must not cause the site to become deficient in the number of required
138 off-street parking spaces.

140 6) No mobile food service operation shall sell or offer products or services for
141 sale on private property before 9:00 a.m. or after 9:00 p.m.

143 Sec. 31-143. Operation upon Public Property.

145 a) Subject to the following exceptions, no mobile food service operation shall be allowed
146 to park, stop or stand for the purpose of selling or offering for sale any products or
147 services upon any public property, including rights-of-way, within the City.

149 1) A mobile prepackaged food service operation shall be allowed to stop or stand on
150 public rights-of-way for the purpose of selling or offering for sale prepackaged food.
151 Such mobile prepackaged food service operation shall not stop or stand in a single
152 location for more than five minutes in any sixty minute period while selling or
153 offering for sale products or services.

155 2) A mobile food service operation shall be allowed to park, stop or stand on public
156 property when such mobile food service operation is invited and authorized to operate
157 at an event conducted or sponsored by the City of Edgewood or when such mobile
158 food service operation is included in the permit for a special event for which a special
159 event permit has been issued by the City of Edgewood pursuant to Chapter 49 of the
160 Code of Ordinances.

162 b) Notwithstanding the foregoing, no mobile food service operation shall under any
163 circumstances stop, park or stand on the right-of-way or adjacent to the right-of-way of
164 S.R. 527 for the purpose of selling or offering for sale any products or services.

166 Sec. 31-144. Enforcement.

168 The City of Edgewood may enforce the provisions of this article through any legal means
169 including prosecuting violations of this article pursuant to F.S. Ch. 162, issuance of civil
170 citations, or instituting legal action.

172 **SECTION 3. Codification.** It is the intent of the City Council of the City of Edgewood
173 that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal
174 authority in codifying the provisions of this Ordinance and renumbering subsections consistent
175 with this Ordinance.

177 **SECTION 4. Severability.** If any section, sentence, clause or phrase of this Ordinance
178 is held to be invalid or unconstitutional by a Court of competent jurisdiction, then said holding
179 shall in no way affect the validity of the remaining portions of this Ordinance.
180

ORDINANCE NO. ____

1
2
3 AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA,
4 RELATING TO SIGNS; REPEALING AND REPLACING
5 CHAPTER 5, CHAPTER VI OF THE CITY OF EDGEWOOD
6 CODE OF ORDINANCES RELATING TO SIGNS; PROVIDING
7 LEGISLATIVE FINDINGS; PROVIDING FOR A PURPOSE,
8 DEFINITIONS, PERMITTING PROCESSES AND APPEALS
9 FROM SIGN PERMIT DENIALS; SIGNS, DECORATIONS, AND
10 ARTWORK EXEMPT FROM PERMITTING; PROHIBITED
11 SIGNS; GENERAL REGULATIONS AND SPECIFIC STANDARDS
12 OF ZONING DISTRICTS; SIGN LIGHTING AND
13 ILLUMINATION; EXISTING SIGNS WHICH WILL BE
14 NONCONFORMING AFTER ENACTMENT OF THIS
15 ORDINANCE; REMOVAL OF SIGNS, VARIANCES,
16 SUBSTITUTION OF NON-COMMERCIAL SPEECH FOR
17 COMMERCIAL SPEECH, CONTENT NEUTRALITY AS TO SIGN
18 MESSAGE (VIEWPOINT), ILLEGAL SIGNS ON PUBLIC
19 PROPERTY AND SAFETY CONSIDERATIONS; PROVIDING
20 FOR SEVERABILITY IN GENERAL; PROVIDING FOR
21 SEVERABILITY WHERE LESS SPEECH RESULTS; PROVIDING
22 FOR SEVERABILITY OF PROVISIONS PERTAINING TO
23 PROHIBITED SIGNS; PROVIDING FOR SEVERABILITY OF
24 PROHIBITION ON BILLBOARDS; AMENDING VARIOUS
25 SECTIONS OF THE CODE OF ORDINANCES AND THE LAND
26 DEVELOPMENT CODE TO BE CONSISTENT WITH THE FIRST
27 AMENDMENT OF THE CONSTITUTION AND WITH
28 AMENDMENTS TO CHAPTER VII OF THE LAND
29 DEVELOPMENT CODE, ADOPTED HEREIN; PROVIDING FOR
30 CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

31
32 WHEREAS, the City Council of the City of Edgewood has determined the need
33 to update and revise its Code of Ordinances relative to signs; and

34 WHEREAS, the City Council wishes to ensure that the City's Code of
35 Ordinances as it relates to signs is in compliance with all constitutional and other legal
36 requirements; and

37 WHEREAS, the City Council wishes to continue to prohibit certain sign types,
38 including billboards; and

39 WHEREAS, the City Council finds and determines that certain types of signs,
40 particularly large signs, animated signs and flashing signs, create a safety hazard by
41 distracting motorists, pedestrians, and others; and

42 WHEREAS, the City Council wishes to protect the safety of motorists,
43 pedestrians, and others from distraction caused by signs; and

44 **WHEREAS**, the City Council finds that some signs, particularly large signs,
45 detract from the aesthetic beauty of the landscape; and

46 **WHEREAS**, the City Council wishes to preserve the aesthetic beauty of the City
47 of Edgewood; and

48 **WHEREAS**, the regulation of signage for purposes of aesthetics has long been
49 recognized as advancing the public welfare; and

50 **WHEREAS**, as far back as 1954, the United States Supreme Court recognized
51 that “the concept of the public welfare is broad and inclusive,” that the values it
52 represents are “spiritual as well as physical, aesthetic as well as monetary,” and that it is
53 within the power of the legislature “to determine that the community should be beautiful
54 as well as healthy, spacious as well as clean, well balanced as well as carefully patrolled.”
55 Justice Douglas in *Berman v. Parker*, 348 U.S. 26, 33 (1954); and

56 **WHEREAS**, the Florida Constitution provides that it shall be the policy of the
57 state to conserve and protect its scenic beauty; and

58 **WHEREAS**, the regulation of signage for purposes of aesthetics directly serves
59 the policy of this state by conserving and protecting its scenic beauty; and

60 **WHEREAS**, the City Council desires to delete sections, subsections, paragraphs,
61 subparagraphs, divisions, subdivisions, clauses, sentences, phrases, words, and provisions
62 of the existing ordinance which are obsolete, and/or which have not been enforced,
63 and/or which are not enforceable, and/or which are superfluous to the policies, objectives
64 and goals of the City’s Comprehensive Plan, and/or which would be severable by a court
65 of competent jurisdiction; and

66 **WHEREAS**, the City Council finds and determines that the City has allowed
67 noncommercial speech to appear wherever commercial speech appears; and the City
68 Council desires to codify that practice through the specific inclusion of a substitution
69 clause that expressly allows noncommercial messages to be substituted for commercial
70 messages; and

71 **WHEREAS**, the City Council finds and determines that aesthetics is a valid basis
72 for zoning, and the regulation of the size of signs and the prohibition of certain types of
73 signs can be based upon aesthetic grounds alone as promoting the general welfare [*see*
74 *Merritt v. Peters*, 65 So.2d 861 (Fla. 1953); *Dade County v. Gould*, 99 So.2d 236 (Fla.
75 1957); *E.B. Elliott Advertising Co. v. Metropolitan Dade County*, 425 F.2d 1141 (5th Cir.
76 1970), *cert. dismissed*. 400 U.S. 878 (1970)]; and

77 **WHEREAS**, the City Council finds and determines that public policy and the
78 public interest favor the eventual elimination of nonconforming uses; and

79 **WHEREAS**, the City Council finds and determines that the size, height, and
80 other characteristics of signs can magnify their adverse impacts on both traffic safety and
81 aesthetics; and

82 **WHEREAS**, the City Council finds and determines that this ordinance will lessen
83 hazardous situations, as well as confusion and visual clutter otherwise caused by the
84 proliferation, improper placement, excessive height, excessive size, and distracting

85 characteristics of signs which compete for the attention of pedestrian and vehicular
86 traffic; and

87 **WHEREAS**, the Florida Constitution states that it shall be the policy of the State
88 to conserve and protect its scenic beauty, and the City Council finds and determines that
89 the prohibition of the construction of billboards and certain other sign types, as well as
90 the establishment and continuation of height, size and other standards for on-premise
91 signs, is consistent with this policy; and

92 **WHEREAS**, the City Council finds and determines that this ordinance will
93 enhance the attractiveness and economic well-being of the City as a place to live, visit,
94 and conduct business; and

95 **WHEREAS**, the City Council finds and determines that billboards detract from
96 the natural and manmade beauty of the City; and

97 **WHEREAS**, the City Council finds and determines that the preservation of the
98 City's scenic beauty promotes tourism by establishing a visual attractiveness for the City
99 and promoting its general economic and cultural development consistent with the City's
100 interest in beauty; and

101 **WHEREAS**, the City Council agrees with the American Society of Landscape
102 Architects' determination that billboards tend to deface nearby scenery, whether natural
103 or built, rural or urban; and

104 **WHEREAS**, the City Council agrees with the courts that have recognized that
105 outdoor advertising signs tend to interrupt what would otherwise be the natural landscape
106 as seen from the highway, whether the view is untouched or altered by man, and that it
107 would be unreasonable and illogical to conclude that an area is too unattractive to justify
108 aesthetic improvement [*see E.B. Elliott Adv. Co. v. Metropolitan Dade County*, 425 F.2d
109 1141 (5th Cir. 1970), *cert. denied*, 400 U.S. 878 (1970); *John Donnelly & Sons, Inc. v.*
110 *Outdoor Advertising Bd.*, 339 N.E. 2nd 709, 720 (Mass. 1975)]; and

111 **WHEREAS**, the City Council recognizes that billboards are a form of
112 advertisement designed to be seen without the exercise of choice or volition on the part of
113 the observer, unlike other forms of advertising that are ordinarily seen as a matter of
114 choice on the part of the observer [*see Packer v. Utah*, 285 U.S. 105 (1932); and *General*
115 *Outdoor Advertising Co. v. Department of Public Works*, 289 Mass. 149, 193 N.E. 99
116 (1935)], and the City Council acknowledges that the United States Supreme Court and
117 many federal courts have accepted legislative judgments and determinations that the
118 prohibition of billboards promotes traffic safety and the aesthetics of the surrounding area
119 [*see Metromedia, Inc. v. City of San Diego*, 453 U.S. 490, 509-510 (1981); and *National*
120 *Advertising Co. v. City & County of Denver*, 912 F.2d 405, 409 (10th Cir. 1990); and
121 *Outdoor Systems, Inc. v. City of Lenexa*, 67 F. Supp. 2d 1231, 1239 (D. Kan. 1999)]; and

122 **WHEREAS**, the City Council finds and determines that by confirming in its
123 ordinance that noncommercial messages are allowed wherever commercial messages are
124 permitted, the City will continue to overcome any constitutional objection that its
125 ordinance impermissibly favors commercial speech over noncommercial speech [*see*
126 *Outdoor Systems, Inc. v. City of Lenexa*, 67 F. Supp. 2d 1231, 1236-1237 (D. Kan. 1999)];
127 and

128 **WHEREAS**, the City Council finds and determines that in order to reconfirm that
129 the billboard regulations meet constitutional scrutiny, it is appropriate to amend the
130 ordinance to emphasize the fact that noncommercial messages may be placed wherever
131 commercial messages appear, that commercial speech is not favored over noncommercial
132 speech, and that any on-site or off-site sign permitted or allowed by law is allowed to
133 contain noncommercial speech in lieu of any other speech; and

134 **WHEREAS**, the City Council finds and determines that various arguments have
135 been advanced in recent years that the permitting of signs is subject to “prior restraint”
136 scrutiny under the First Amendment; and

137 **WHEREAS**, the City Council wishes to follow the Court’s advice in the recent
138 Eleventh Circuit opinion of *Granite State Outdoor Advertising v. The City of St.*
139 *Petersburg*, 348 F.3d 1278, 1282-1253 (11th Cir. 2003), that although time limits for sign
140 permit reviews and appeals are not mandatory in a content neutral sign ordinance, time
141 limits are advisable to avoid a “prior restraint” challenge; and

142 **WHEREAS**, the City Council hereby finds and determines that anything beside
143 the street which tends to distract the driver of a motor vehicle directly affects traffic
144 safety, and that signs which divert the attention of the driver and occupants of motor
145 vehicles from the highway to objects away from it, may reasonably be found to increase
146 the danger of accidents, and agrees with the courts that have reached the same
147 determination [*see In re Opinion of the Justices*, 103 N.H. 268, 169 A.2d 762 (1961);
148 *Newman Signs, Inv. C. Hjelle*, 268 N.W. 2d 741 (N.D. 1978)]; and

149 **WHEREAS**, the City Council finds and determines that municipalities may
150 separately classify offsite and on-site advertising signs in taking steps to minimize visual
151 pollution [*see City of Lake Wales v. Lamar Advertising Association of Lakeland, Florida*,
152 414 So.2d 1030, 1032 (Fla. 1982)]; and

153 **WHEREAS**, the City Council recognizes that on-site business signs are
154 considered to be part of the business itself, as distinguished from off-site outdoor
155 advertising signs, and finds and determines that it is well-recognized that the unique
156 nature of outdoor advertising and the nuisances fostered by billboard signs justify the
157 separate classification of such structures for the purposes of governmental regulation and
158 restrictions [*see E.B. Elliott Adv. Co. v. Metropolitan Dade County*, 425 F.2d 1141, 1153
159 (5th Cir. 1970), *cert. denied*, 400 U.S. 878, 91 S.Ct. 12, 27 L.Ed. 2d 35 (1970), quoting
160 *United Advertising Corp. v. Borough of Raritan*, 11N.J. 144, 93 A.2d 362, 365 (1952);
161 *Clear Channel Outdoor, Inc. v. City of Los Angeles*, 340 F.3d 810, 814 (9th Cir. 2003)];
162 and

163 **WHEREAS**, the City Council finds and determines that a prohibition on the
164 erection of off-site outdoor advertising signs will reduce the number of driver distractions
165 and the number of aesthetic eyesores along the roadways and highways through the City
166 [*see e.g., E.B. Elliott Adv. Co. v. Metropolitan Dade County*, 425 F.2d 1141, 1154 (5th
167 Cir. 1970), *cert. denied*, 400 U.S. 878 (1970)]; and

168 **WHEREAS**, the City Council finds and determines that billboard signs are public
169 nuisances given their adverse impact on both traffic safety and aesthetics; and

170 **WHEREAS**, the City Council finds and determines that billboards are a traffic
171 hazard and impair the beauty of the surrounding area, and the prohibition of the
172 construction of billboards will reduce these harms [*see Outdoor Systems, Inc. v. Cite of*
173 *Lenexa*, 67 F.Supp.2d 1231, 1239 (D. Kan. 1999)]; and

174 **WHEREAS**, the City Council finds and determines that the presence of
175 billboards along the federal interstate and the federal-aid primary highway systems have
176 prevented public property in other jurisdictions from being used for beautification
177 purposes due to view zones established by state administrative rule; and

178 **WHEREAS**, Scenic America, Inc. recommends improvements in the scenic
179 character of a community's landscape and appearance by prohibiting the construction of
180 billboards, and by setting height, size and other standards for on-premise signs [*see*
181 *Scenic America's Seven Principles for Scenic Conservation, Principle #5*]; and

182 **WHEREAS**, more than a hundred Florida communities have adopted ordinances
183 prohibiting the construction of billboards in their communities in order to achieve
184 aesthetic, beautification, traffic safety, and/or other related goals; and

185 **WHEREAS**, Vermont, Alaska, Maine, and Hawaii have prohibited the
186 construction of billboards in their states and are now billboard-free in an effort to
187 promote aesthetics and their natural scenic beauty; and

188 **WHEREAS**, the City Council finds and determines that in order to preserve,
189 protect and promote the safety and general welfare of the residents of the City, it is
190 necessary to continue to regulate off-site advertising signs, commonly known as billboard
191 signs or billboards, so as to prohibit the construction of billboards in all zoning districts,
192 and to provide that the foregoing provisions shall be severable; and

193 **WHEREAS**, the City Council finds and determines that the continued prohibition
194 of billboards as set forth herein will improve the beauty of the City, foster overall
195 improvement to the aesthetic and visual appearance of the City, preserve and keep open
196 areas for beautification on public property adjoining the public roadways, increase the
197 visibility, readability and/or effectiveness of on-site signs by reducing and/or diminishing
198 the visual clutter of off-site signs, enhance the City as an attractive place to live and/or
199 work, reduce blighting influences, and improve traffic safety by reducing driver
200 distractions; and

201 **WHEREAS**, the City Council finds and determines that the business of outdoor
202 advertising in the form of off-site signs, commonly known as billboards, is not now an
203 approved use within the City or any of its zoning districts; and

204 **WHEREAS**, the City Council finds and determines that the prohibition on
205 portable signs reasonably advances the governmental goal of protecting the aesthetic
206 environment of the City [*see Harnish v. Manatee County*, 783 F.2d 1535 (11th Cir. 1986);
207 and *Don's Porta Signs, Inc. v. City of Clearwater*, 829 F.2d 1051 (11th Cir. 1987), *cert.*
208 *denied*, 485 U.S. 981 (1988)]; and

209 **WHEREAS**, the City Council finds and determines that A-frame signs are
210 portable signs which, like other portable signs which normally are heavier than other
211 temporary signs, can pose a safety hazard; and

212 **WHEREAS**, to stimulate the economic growth of the businesses in the City’s
213 Downtown Edgewood Zoning District, Downtown Edgewood Special District,
214 Edgewood Westside District, Edgewood Avenue Special District and Cultural Corridor
215 District, to encourage pedestrian, as opposed to vehicular travel, and to improve
216 marketing and awareness of the offerings of businesses in these districts, it is desirable to
217 allow A-frame signs in said districts under certain conditions and restrictions to reduce
218 visual blight and ensure pedestrian and vehicular safety; and

219 **WHEREAS**, the City Council finds and determines that the City has consistently
220 adopted and enacted severability provisions in connection with its Code provisions and
221 that the City Council wishes to ensure that severability provisions apply to its Code of
222 Ordinances, including its sign regulations; and

223 **WHEREAS**, the City Council finds and determines that off-site signs, also
224 known and commonly referred to as “billboards,” are not compatible with adjacent areas
225 and are not an approved land use within any of the City’s zoning districts; and

226 **WHEREAS**, the Planning and Zoning Commission, acting as the Local Planning
227 Agency, found and determined that this Ordinance is consistent with the City’s
228 Comprehensive Plan, and the City Council finds and determines that the following
229 amendments are consistent with all applicable policies of the City’s Comprehensive Plan;
230 and

231 **WHEREAS**, the City Council finds and determines that the following
232 amendments will not result in incompatible land uses; and

233 **WHEREAS**, the City Council finds and determines that the City’s sign
234 regulations are concerned with the secondary effects of speech including, but not limited
235 to, aesthetics and traffic safety, and that they are not intended to regulate viewpoints or
236 censor speech, and for those and other reasons that the foregoing provisions are not
237 subject to, or would not fail, a “prior restraint” analysis; and

238 **WHEREAS**, the City Council finds and determines that there are not delays in
239 the City in connection with the permitting of signs, and there are not delays in the City in
240 connection with appeals from adverse permitting decisions involving signs; and

241 **WHEREAS**, the City Council recognizes that frivolous challenges to its
242 provisions regulating signage might be advanced under the pretext that the City is
243 unconstitutionally restraining free speech, and the City Council desires to amend and
244 modify the Code to codify current practice and, to the fullest extent possible, ensure that
245 a prior restraint claim cannot be advanced in good faith against the City’s sign
246 regulations; and

247 **WHEREAS**, the City Council finds and determines that the Code’s severability
248 clauses were adopted with the intent of upholding and sustaining as much of the City’s
249 regulations, including its sign regulations, as possible in the event that any portion thereof
250 (including any section, sentence, clause or phrase) be held invalid or unconstitutional by
251 any court of competent jurisdiction; and

252 **WHEREAS**, the City Council finds and determines that under Florida law,
253 whenever a portion of a statute or ordinance is declared unconstitutional the remainder of
254 the act will be permitted to stand provided (1) the unconstitutional provisions can be

255 separated from the remaining valid provisions, (2) the legislative purpose expressed in
256 the valid provisions can be accomplished independently of those which are void, (3) the
257 good and the bad features are not so inseparable in substance that it can be said that the
258 legislative body would have passed the one without the other, and (4) an act complete in
259 itself remains after the invalid provisions are stricken [*see, e.g., Waldrup v. Dugger*, 562
260 So.2d 687 (Fla. 1990)]; and

261 **WHEREAS**, the City Council has determined that there have been several
262 judicial decisions where courts have not given full effect to severability clauses that
263 applied to sign regulations and where the courts have expressed uncertainty over whether
264 the legislative body intended that severability would apply to certain factual situations
265 despite the presumption that would ordinarily flow from the presence of a severability
266 clause; and

267 **WHEREAS**, the City Council is aware that the failure of some courts to uphold
268 severability clauses has led to an increase in litigation by developers seeking to strike
269 down sign ordinances in their entirety so as to argue that the developers' applications to
270 erect billboards and signs must be granted; and

271 **WHEREAS**, the City Council desires that the prohibition on billboards continue
272 in effect regardless of the invalidity or unconstitutionality of any, or even all other,
273 provisions of the City's sign regulations, other ordinance or Code provisions, or other
274 laws, for any reason(s) whatsoever; and

275
276 **WHEREAS**, the City Council desires that there be an ample record that it intends
277 that each prohibited sign-type continue in effect regardless of the invalidity or
278 unconstitutionality of any, or even all other, provisions of the City's sign regulations,
279 other ordinance or Code provisions, or other laws, for any reason(s) whatsoever; and

280 **WHEREAS**, the City Council desires to prohibit certain narrowly defined signs
281 on vehicles not regularly used in the conduct of any business be prohibited throughout the
282 City since there is ample record that these "vehicle signs," also known as "mobile
283 billboards," promote visual blight, can roll into traffic on windy days, are a safety hazard
284 for drivers who must swerve around them, and use up valuable parking spaces intended
285 for business patrons; and

286
287 **WHEREAS**, the City Council desires that there be an ample record that it intends
288 that the height and size limitations on free-standing and other signs continue in effect
289 regardless of the invalidity or unconstitutionality of any, or even all other provisions of
290 the City's sign regulations, other ordinance or Code provisions, or other laws, for any
291 reason(s) whatsoever; and

292 **WHEREAS**, the City Council wishes to continue to restrict the height and size of
293 free-standing signs, other than statutory signs and traffic control device signs as identified
294 or described in the Manual on Uniform Traffic Control Devices; and

295 **WHEREAS**, the City Council is aware that billboard developers seeking to attack
296 a sign ordinance have often advanced an argument that the developer has a "vested" right
297 to erect the billboards described in their permit applications, and argue that if they are
298 successful in obtaining a judicial decision finding that the City's entire sign ordinance is

299 unconstitutional, it follows that they are entitled to build any sign described in the permit
300 applications submitted under the “unconstitutional” ordinance, and argue that this result
301 is mandated because when they applied for their permits there was no valid constitutional
302 ordinance in place; and

303 **WHEREAS**, the City Council desires to make it clear that billboards are not a
304 compatible land use within the City and that there can be no good faith reliance by any
305 prospective billboard developer under Florida “vested rights,” or any other theory or law
306 in connection with the prospective erection or construction of billboards within the
307 jurisdictional limits of the City; and
308

309 **WHEREAS**, the City Council is mindful of the warnings from various studies
310 regarding the effect on traffic safety of electronic changeable message and tri-vision signs
311 discussed in the September 11, 2001 report sponsored by the Federal Highway
312 Administration entitled, *Research Review of Potential Safety Effects of Electronic*
313 *Billboards on Driver Attention and Distraction*, and therefore, wishes to clarify its
314 prohibition of these sign types. *See also, the 2009 study “Safety Impacts of the Emerging*
315 *Digital Display Technology for Outdoor Advertising Signs” prepared for the American*
316 *Associates of State Highway and Transportation Officials; Final Report, A Critical,*
317 *Comprehensive Review of Two Studies Recently Released By the Outdoor Advertising*
318 *Association of America*, prepared for: Maryland State Highway Administration, by Jerry
319 Wachtel, CPE, President, The Veridian Group, Inc., Berkeley, California October 18,
320 2007 (concluding that two traffic studies conducted by the outdoor advertising industry
321 seeming to indicate that electronic billboards posed no traffic safety concern were both
322 severely flawed in their methodology and thus unreliable in their conclusions. On page
323 13 of the report Veridian concludes that the outdoor advertising industry used
324 “misleading and inconsistent reporting [showed] evidence of bias [and there was]
325 evidence of internal errors and inconsistencies throughout the report”); *Traffic Safety*
326 *Evaluation of Video Advertising Signs*, by Alison Smiley et al., Transportation Research
327 record: Journal of the Transportation research Board, No. 1937, 2005 (a major study of
328 electronic signs in Toronto, which finds that “[o]n the basis of the eye fixation study and
329 the public survey data, it is apparent that video advertising can distract drivers
330 inappropriately and lead to individual crashes.”); *Research Review of Potential Safety*
331 *Effects of Electronic Billboards on Driver Attention and Distraction*, September 2001,
332 Federal Highway Administration, U.S. Department of Transportation (a summary of
333 existing research (as of 2001), on the subject of the safety of electronic signs and a call
334 for additional studies); *Milwaukee County Stadium Variable Message Sign Study:*
335 *Impacts of an Advertising Variable Message Sign on Freeway Traffic*, December 1994,
336 Wisconsin Department of Transportation (study of the dangers posed by an electronic
337 sign in Milwaukee along I-94, that concluded that “It is obvious that the variable message
338 sign has had an effect on traffic, most notably in the increase of the side swipe crash
339 rate”); and

340 **WHEREAS**, the City Council has determined that the purpose and intent
341 provisions of its signage regulations should be even more detailed than they are now so
342 as to further describe the beneficial aesthetic and other effects of the City’s sign
343 regulations, and to reaffirm that the sign regulations are concerned with the secondary

344 effects of speech and are not designed to censor speech or regulate the viewpoint of the
345 speaker; and

346 **WHEREAS**, the City Council wishes to ensure that the City's Code of
347 Ordinances relative to signs is in compliance with all constitutional and other legal
348 requirements; and

349 **WHEREAS**, the City Council wishes to continue to assure that billboards are
350 effectively prohibited as a sign-type within the City; and

351 **WHEREAS**, the City Council wishes to assure that animated signs and flashing
352 signs are effectively prohibited as sign-types within the City; and

353 **WHEREAS**, the City Council wishes to assure that snipe signs are effectively
354 prohibited as a sign-type within the City; and

355 **WHEREAS**, the City Council wishes to assure that wind signs are effectively
356 prohibited as a sign-type within the City; and

357 **WHEREAS**, the City Council wishes to assure that revolving and rotating signs
358 are effectively prohibited as a sign-type within the City; and

359 **WHEREAS**, allowing exemptions for certain signage, and based upon the
360 function served by the sign (e.g., warning signs, directional signs, real estate signs,
361 warning and safety signs, machinery and equipment signs, and garage/yard sale signs;
362 and other sign types described by function herein) is preferred to requiring permits for all
363 such signs or alternatively, banning all such signs; and

364 **WHEREAS**, sign types described herein are related in other ways to the
365 functions they serve and the properties to which they relate [*see* Bond, Making Sense of
366 Billboard Law: Justifying Prohibitions and Exemptions, 88 Mich.L.Rev.2482 (1980)];
367 and

368 **WHEREAS**, limitations on and regulations regarding various types of signs are
369 also related to the zoning for the properties on which they are located and/or the land use
370 of the properties on which the sign-types and signs are located; and

371 **WHEREAS**, various signs that serve and function as signage for particular land
372 uses, such as drive-thru restaurants, are allowed some additional features in recognition
373 of the differing or special functions served by those land uses, but not based upon intent
374 to favor any particular viewpoint or control the subject matter of public discourse; and

375 **WHEREAS**, in narrowly drawing and tailoring provisions for regulating signage,
376 the City Council finds and determines that the exercise of its police power for such
377 regulation should not extend to objects such as artwork, temporary holiday/seasonal
378 decorations, and stringlighting, all which are not typically associated with or considered
379 signage; and

380 **WHEREAS**, in narrowly drawing and tailoring provisions for regulating signage,
381 the City Council finds and determines that certain temporary sign-types for temporary
382 banners play an important role in commerce and special activities and events in the City,
383 and are necessary, but that the potential for contributing to visual clutter that can occur
384 through violations of durational and dimensional criteria should be controlled and/or

385 monitored by content-neutral permitting as necessary to preclude abuse that adversely
386 affects traffic, building, and pedestrian safety, and aesthetics; and

387 **WHEREAS**, the City has heretofore disallowed fixed signage in its public rights-
388 of- way, and such public property has not historically been used for free expression and
389 communication by the public; and

390 **WHEREAS**, the City continues to disallow signage in its public rights-of-way;
391 and

392 **WHEREAS**, in narrowly drawing and tailoring provisions for regulating signage,
393 the City Council finds and determines that temporary construction signs that function to
394 identify ongoing construction activity during the time that a building permit is active and
395 prior to completion of the work provides important directional information to contractors,
396 subcontractors, suppliers, material, men and laborers providing and/or delivering
397 materials and/or services and are a necessary type of signage related to the premises on
398 which they are located, contribute to safety of workers, and nearby traffic and
399 pedestrians, and have no effective substitute; and

400 **WHEREAS**, in narrowly drawing and tailoring provisions for regulating signage,
401 the City Council finds and determines that directional signs and directory signs for
402 identification purposes are necessary to identify premises and/or occupants and provide
403 an indispensable means for guiding pedestrians and vehicular traffic, as well as
404 emergency services such as fire, ambulance and rescue services, and thereby provide for
405 the health and safety of persons in the City, and that such sign-types are a necessary type
406 of signage related to the premises on which they are located and have no effective
407 substitute; and

408 **WHEREAS**, in narrowly drawing and tailoring provisions for regulating signage,
409 the City Council finds and determines that warning and safety signs are necessary to warn
410 of a dangerous condition or situation that might not be readily apparent or that poses a
411 threat of serious injury (e.g., “gas line”, “high voltage,” “condemned building,” etc.) and
412 that such sign-types are a necessary type of signage related to the premises on which they
413 are located and have no effective substitute; and

414 **WHEREAS**, in narrowly drawing and tailoring provisions for regulating signage,
415 the City Council finds and determines that machinery and equipment signs, *i.e.*, those
416 signs that are integrated into machinery and equipment and that are visible from the street
417 are a necessary type of signage that are inextricably related to the machines and
418 equipment on which they appear and that it is impractical to prohibit such signs in
419 commerce without effectively prohibiting the associated machines and equipment, and as
420 a result the City finds that machine and equipment signs should be allowed in all zoning
421 districts; and

422 **WHEREAS**, the City Council recognizes that under current jurisprudence [*see*,
423 *e.g.*, *Linmark Associates v. Town of Willingboro*, 431 U.S.79 (1977)], on-site real estate
424 signs, such as “for sale” signs should be allowed without imposing specific time
425 limitations, given the important role and unique function that real estate signs, such as
426 “for sale” signs, perform on the premises where they are located, for which there is no

427 effective substitute, and considering that real property does not always sell within a
428 specific time period; and

429 **WHEREAS**, under current jurisprudence [*see, e.g., Ladue v. Gilleo*, 512 U.S. 43
430 (1994)], signs that allow property owners, especially residential homeowners, to freely
431 express a particular point of view on their own property should be reasonably
432 accommodated, and may be uniquely valuable; and

433 **WHEREAS**, the City Council finds and determines that free expression signs are
434 sufficient to allow for political speech unrelated to particular candidates or ballot issues;
435 and

436 **WHEREAS**, the City Council intends to expressly provide that property owners
437 may display at least one sign for free expression at all times, and to expressly provide that
438 property owners may maintain signs displaying their support or opposition to political
439 candidates and ballot issues before the election to which they pertain; and

440 **WHEREAS**, the City Council recognizes that under current jurisprudence
441 election signs are generally accorded a higher level of protection under the First
442 Amendment than any other classification or type of speech, for which there is no
443 effective substitute; and

444 **WHEREAS**, the City Council recognizes that durational limitations on election
445 signs, sometimes referred to as political signs, are constitutionally problematic when the
446 limitations affect the posting of election signs prior to the election concerning the
447 candidate or ballot issue to which they pertain, but durational limits requiring the removal
448 of election signs following such election are generally permissible, and there is no
449 effective substitute [*see, e.g., Election Signs and Time Limits, Evolving Voices in Land*
450 *Use Law*, 3 Wash. U.J.L. & Poly 379 (2000)]; and

451 **WHEREAS**, the City Council finds and determines that the exceptions and/or
452 exemptions for real estate signs, free expression signs, political signs, and certain other
453 sign types are not intended to diminish or lessen the City's interests in aesthetics or traffic
454 safety, but the same are adopted in recognition of the useful functions and practical needs
455 served by such signage in the City's commerce and/or in the political freedom that is
456 accorded its citizens to freely express their points of view and political desires; and

457 **WHEREAS**, the City Council recognizes that under current jurisprudence its sign
458 regulations may be under-inclusive in their reach to serve the City's interests in aesthetics
459 and traffic safety, while at the same time balancing the interests protected by the First
460 Amendment [*see, e.g., Members of City Council v. Taxpayers for Vincent*, 466 U.S. 789
461 (1984); *Codes, Sign Regulation After Ladue; Examining the Evolving Limits of First*
462 *Amendment Protection*, 74 Neb.L.Rev. 36 (1995)], and the City Council may from time
463 to time modify the sign regulations herein so as to provide additional limitations to
464 further serve the City's interests in aesthetics and/or traffic safety; and

465 **WHEREAS**, the City Council finds and determines that the regulations regarding
466 the height, size, number for signage and the required setbacks for signage, adopted
467 herein, are based upon the sign types and sign functions; and

468 **WHEREAS**, the City Council finds and determines that sign types described
469 herein are related in other ways to the functions they serve and the properties to which

470 they relate [*see Bond, Making Sense of Billboard Law; Justifying Prohibitions and*
471 *Exemptions*, 88 Mich.L.Rev., 2481 (1980)]; and

472 **WHEREAS**, the City Council finds and determines that limitations on various
473 types of signs are also related to the zoning districts for the properties on which they are
474 located; and

475 **WHEREAS**, the City Council finds and determines that various signs that serve
476 and function as signage for particular land uses, such as drive-thru restaurants, are
477 allowed some additional features in recognition of the differing or special functions
478 served by those land uses, but such features are not based upon any intent to favor any
479 particular viewpoint or control the subject matter of public discourse; and

480 **WHEREAS**, the City Council finds and determines that the sign prohibitions and
481 regulations adopted herein still allow adequate alternative means of communications; and

482 **WHEREAS**, alternative method of communications in lieu of signs exist through
483 vehicular navigational systems, guidebooks, newspapers, radio, television, telephone and
484 the internet; and

485 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**
486 **THE CITY OF EDGEWOOD, FLORIDA, AS FOLLOWS:**

487 **SECTION ONE.** The findings set forth in the recitals above are hereby adopted as
488 legislative findings of the City Council pertaining to this Ordinance.

489
490 **SECTION TWO.** Chapter 122, "Signs," of the City of Edgewood Code of Ordinances
491 is hereby deleted in its entirety and replaced with a new Chapter 122, "Signs," as set forth
492 below:

493 **Chapter 122. Signs.**

494

495 **Sec. 122-1. Purpose.**

496

497 The purpose of this Chapter is to promote the public health, safety and general welfare
498 through reasonable, consistent and non-discriminatory sign regulations. No part of these
499 regulations shall be construed to favor commercial speech over non-commercial speech,
500 nor restrict speech on the basis of content, viewpoint or message. Also, these sign
501 regulations reduce signage conflicts, promote traffic and pedestrian safety and increase
502 the aesthetic value and economic viability of the City by classifying and regulating the
503 location, size, type and number of signs and related matters in a content-neutral manner.

504

505 These sign regulations are especially intended to reach the secondary effects that may
506 adversely impact aesthetics and safety. In order to preserve and promote the City as a
507 desirable community in which to live, vacation and do business, a pleasing, visually
508 attractive environment is of primary importance. These sign regulations have been
509 prepared with the purpose of enhancing the visual environment of the City and promoting
510 its continued well-being, and are intended to:

511

512 A. Encourage the effective use of signs as a means of communication in the

- 513 City;
514
- 515 B. Improve pedestrian and traffic safety;
516
- 517 C. Minimize the possible adverse effect of signs on nearby public and private
518 property;
519
- 520 D. Promote the integration of signage with architectural and landscape designs;
521
- 522 E. Lessen the visual clutter that may otherwise be caused by the proliferation,
523 improper placement, illumination, animation, excessive height and
524 excessive size (area) of signs, which compete for the attention of pedestrian
525 and vehicular traffic;
526
- 527 F. Allow signs that are compatible with their surroundings and aid orientation,
528 while precluding the placement of signs that contribute to sign clutter or that
529 conceal or obstruct adjacent land uses or signs;
530
- 531 G. Encourage and allow signs that are appropriate to the zoning district in
532 which they are located and consistent with the category of use and function
533 to which they pertain;
534
- 535 H. Curtail the size and number of signs and sign messages to the minimum
536 reasonably necessary to identify a residential or business location and the
537 nature of any such business;
538
- 539 I. Establish sign size in relationship to the scale of the lot and building on
540 which the sign is to be placed or to which it pertains;
541
- 542 J. Categorize signs based upon the function that they serve and tailor the
543 regulation of signs based upon their function;
544
- 545 K. Preclude signs from conflicting with the principal permitted use of the site
546 and adjoining sites;
547
- 548 L. Regulate signs in a manner that will not interfere with, obstruct the vision of
549 or distract motorists, bicyclists or pedestrians;
550
- 551 M. Except to the extent expressly preempted by state or federal law, ensure that
552 signs are constructed, installed and maintained in a safe and
553 satisfactory manner, and protect the public from unsafe signs;
554
- 555 N. Preserve, conserve, protect and enhance the aesthetic quality and scenic
556 beauty of the City;
557

- 558 O. Protect property values by ensuring that sign types, as well as the number of
559 signs and their size, height, illumination, movement, and brightness are in
560 harmony with buildings, neighborhoods and conforming signs in the area;
561
- 562 P. Regulate the appearance and design of signs in a manner that promotes and
563 enhances the beautification of the City and that complements the natural
564 surroundings in recognition of the City's reliance on its natural resources
565 and beautification efforts; and
566
- 567 Q. Allow for traffic control devices consistent with national and State standards
568 and whose purpose is to promote highway safety and efficiency by
569 providing for the orderly movement of road users and pedestrians on streets
570 and highways, and that notify road users of regulations and provide warning
571 and guidance needed for the safe, uniform and efficient operation of all
572 elements of the traffic stream.
573

574 **Sec. 122-2. Definitions.**
575

576 Abandoned sign: A sign which for a period of a least 90 days no longer correctly relates
577 to a bona fide business, lessee, owner, or activity conducted on the premises where the
578 sign is displayed; and/or the sign has been damaged, and repairs and restoration are not
579 started within 90 days of the date the sign was damaged, or repairs are not diligently
580 pursued, once started.

581 Advertising: Sign copy intended to aid, directly or indirectly, in the sale, use or
582 promotion of a product, service, commodity, entertainment or real or personal property.

583 A-frame sign: A portable sign that may be double or single faced, with the base of the
584 sign being the supporting structure and the connecting point(s) located at the top. A-
585 frame signs may be easily moved from place to place.

586 Alter: To make a change to a sign or sign structure, including but not limited to, changes
587 in size, sign copy area to signs other than manual changeable copy signs, height,
588 projection, illumination, shape, materials, placement and location on a site. Altering a
589 sign does not include ordinary maintenance, repair or repainting an existing sign surface
590 provided the sign copy area is not increased.

591 Animated sign: A sign which has any visible moving part, color change, flashing or
592 osculating lights, visible mechanical movement of any description, or other apparent
593 visible movement achieved by any means that move, change, flash, osculate or visibly
594 alters in appearance. The term may include electronic changeable signs with optical
595 illusion of movement, color change, or change of lighting, to depict action or create a
596 special effect or scene; and signs using electronic ink, signs set in motion by movement
597 of the atmosphere, any sign set in motion by intentional movement by a person, any type
598 of screen using animated or scrolling displays, such as an LED (light emitting diode)
599 screen or any other type of video display.

600 Awning: A shelter projecting from and supported by the exterior wall of a building
601 constructed of rigid or non-rigid materials on a supporting framework that may include a
602 type that can be retracted, folded or collapsed against the wall of a supporting building.

603 Awning sign: A sign that is painted on, printed on, or attached flat against the surface of
604 an awning.

605 Banner: A temporary sign applied to cloth, plastic, paper, fabric or other light pliable
606 material of any kind either with or without frames; and which is suspended, mounted or
607 attached across its longest side to buildings, poles or natural elements at two ends.

608 Beacon: A stationary or revolving light which flashes or projects illumination, single
609 color or multicolored, in any manner which has the effect of attracting or diverting
610 attention, except, however, this term does not include any kind of lighting device which
611 is required or necessary under the safety regulations of the Federal Aviation
612 Administration or other similar agency. This definition does not apply to any similar
613 type of lighting device contained entirely within a structure and which does not project
614 light to the exterior of the structure.

615 Bench sign: A sign on an outdoor bench.

616 Billboard: A freestanding off-site sign or sign structure.

617 Business occupant: A business or corporate entity occupying space intended for the use
618 and occupancy of single business or corporate entity.

619 Business days: The days Monday through Friday excluding any holidays on which
620 Maitland City Hall is closed.

621 Canopy: A roof-like structure with no walls that is attached or not attached to an adjacent
622 structure. A canopy is not a marquee.

623 Canopy sign: A sign that is placed on or integrated into fabric or other material that is an
624 integral part of a canopy.

625 Changeable copy sign: A sign that is designed so that characters, letters or illustrations
626 can be manually changed or rearranged without altering the sign face.

627 City information sign: signs announcing official City business, including meeting
628 information, workshops, elections, emergency and disaster notices, directions, warnings
629 and Amber alerts; official City Leisure Services programs and event announcements,
630 including classes, athletics, cultural partner special events and other events;

631 Clearance: The distance between the finished grade to the lowermost portion of the sign.

632 Cold air inflatable sign: A balloon-type sign with a blower (fan) system which runs to
633 keep the sign inflated.

634 Commercial message: Any sign wording, logo, or other representation or image that
635 directly or indirectly names, advertises, or calls attention to a product, service, sale or
636 sales event or other commercial activity.

637 Construction sign: A temporary on-site sign identifying the ongoing construction activity
638 during the time that a building permit is active and prior to completion of the work for
639 which the permit was issued, and containing sign copy that is limited to the ongoing

640 construction activity and identifying the contractor, professionals and/or any
641 subcontractor engaged to perform construction activity on the site.

642 Copy: The linguistic or graphic content of a sign.

643 Directional sign: An attached or freestanding on-site non-commercial sign directing the
644 movement of pedestrian or vehicular traffic on the premises where it is located. These
645 signs may use words such as "entrance," "exit," "caution," "no parking," "one way only,"
646 "no trespassing," and the like, or arrows or similar graphics.

647 Directory sign: A non-commercial sign that lists the names and locations of occupants or
648 the use of a building, limited to multi-tenant buildings and a development made up of a
649 group of buildings.

650 Election sign: A temporary on-site sign erected or displayed with the permission of the
651 property owner or tenant, for the purpose of expressing support for or opposition to a
652 candidate or stating a position regarding an issue upon which the voters of the City shall
653 vote.

654 Electronic changeable sign: A sign that uses changing lights or an electronic medium to
655 form an image, picture, or message of any kind, whether the image, picture, or message is
656 moving or stationary, wherein the sequence of the messages and the rate of change are
657 electronically programmed and can be modified by electronic processes. Electronic
658 changeable signs include LED signs (light emitting diode technology or other similar
659 semiconductor technology), OLED signs (transmissive, organic light emitting diodes),
660 LEP signs (light emitting polymer), OEL signs (organic electro luminescence), or any
661 similar technology.

662 Erect: To construct, assemble, attach, hang, place, suspend, affix or alter a sign. Does not
663 include ordinary maintenance, repair or repainting of an existing sign surface provided
664 the sign copy area is not increased.

665 Fixed aerial sign: Any aerial advertising medium that is tethered to the ground or any
666 object that is on the ground.

667 Flag: A piece of fabric of distinctive design that is displayed hanging free from a staff
668 halyard or mounting hardware permanently affixed to a building or attached to a flag pole
669 permanently anchored in the ground to which it is attached, used as an ornamental flag or
670 as a symbol of the United States, a nation, state, local government or other political
671 subdivision, corporation, business, organization or a person. Flags are not banners.

672 Flashing sign: Any directly or indirectly illuminated sign that exhibits changing natural
673 or artificial light or color effects by any means whatsoever.

674 Free expression sign: A sign, communicating information or views of concern to the
675 owner of the sign, or containing any other non-commercial message, that is otherwise
676 lawful.

677 Freestanding sign: Any sign that is not attached to any building, such as monument
678 signs. The definition of a "freestanding sign" does not include a portable sign.

679 Garage or Yard Sale or Garage-Yard Sign: Any on-site temporary sign pertaining to the
680 sale of personal property in, at or upon any residentially-zoned property. Garage or yard

681 sales shall include but not be limited to all such sales, and shall include the advertising of
682 the holding of any such sale, or other offering to make any sale, whether made under any
683 name such as garage sale, lawn sale, yard sale, front yard sale, back yard sale, attic sale,
684 rummage sale, patio sale, moving sale or any similar designation.

685 Ground sign: Any sign that is defined as a freestanding sign.

686 Holiday and seasonal decorations: Decorations that do not communicate informational
687 messages apart from recognizing legal or other recognized holidays or to a season of the
688 year and are not considered signage.

689 Illuminated sign: A sign illuminated by an internal light source or an external light
690 source primarily designed to illuminate the sign.

691 Machinery and equipment sign: Any sign that is integral to the machinery or equipment
692 and that identifies the manufacturer of the machinery or equipment that is placed on the
693 machinery or equipment at the factory at the time of manufacture. Machinery and
694 equipment signs are not vehicle signs as defined herein.

695 Maintenance: The repairing or repainting, provided the sign copy area is not increased,
696 of a portion of a sign or sign structure, periodically manually changing changeable copy
697 or renewing the copy provided there are no sign copy area changes for signs which have
698 been made unusable by ordinary wear.

699 Marquee: A permanent roofed structure that is attached to or supported by a building and
700 extending more than two (2) feet from the building, generally designed and constructed to
701 provide protection from the weather.

702 Menu board: A sign placed at the beginning of a drive-up service lane of a food service
703 establishment that includes a two-way speaker system for taking food orders.

704 Menu display sign: A fully enclosed or otherwise protected from the elements on-site
705 sign, including but not limited to a box, shadow box or cabinet, attached to a wall or
706 freestanding, which is used solely for the purpose of displaying restaurant menus. A
707 menu display sign may be used for a restaurant without drive-through service and for
708 transient lodging facilities that have restaurant facilities open to the general public in
709 addition to the registered guests. Menu display sign structures shall be limited to one (1)
710 per establishment.

711 Mobile billboard advertising sign: Any vehicle or wheeled conveyance that carries,
712 conveys, pulls, or transports any sign or billboard for the exclusive purpose of
713 advertising.

714 Monopole sign: A freestanding on site ground sign consisting of a single vertical pole.
715 The definition of a "monopole sign" includes a pylon sign.

716 Monument sign: A freestanding, on-site ground sign that has a solid supporting base or
717 the appearance of a solid supporting base, or on poles less than two feet in height on the
718 ground equal or greater than the width of the sign face and generally made of stone,
719 masonry or concrete, with no separations between the sign and base and which is of a
720 finished or decorative-type construction.

721 Nameplate sign or occupant identification sign: An attached wall sign indicating the
722 name and/or profession or address of a person or persons residing on the premises where
723 the sign is located or legally occupying the premises where the sign is located.

724 Neon sign: A sign manufactured utilizing neon tubing, which is visible to the viewer.

725 Neon tubing: Electric discharge, cold cathode tubing manufactured into shapes that form
726 letters, parts of letters, skeleton tubing, outline lighting and other decorative elements or
727 art forms, in various colors and diameters and filled with inert gases.

728 Non-commercial message: Any message that is not a commercial message.

729 Nonconforming sign: Any sign that was lawful when it was erected but does not meet
730 the requirements of this Article at the time of its effective date.

731 Off-site sign: A sign that identifies activities conducted or products or services that are
732 not available on the premises on which the sign is located.

733 On-site sign: A sign that (1) is located on the premises to which the sign pertains (2)
734 identifies an activity conducted or products or services available on the premises where
735 the sign is located, (3) displays a non-commercial message or (4) is any combination of
736 the first 3.

737 Open house real estate signs: Signs advertising an open house viewing at a residential
738 property.

739 Pennant string: A string of small flag-like pieces of plastic or paper attached to any staff,
740 cord, or building at only one or two edges, the remainder hanging loosely.

741 Permanent sign: Any sign which, when installed, is intended for permanent use. For the
742 purposes of this Article, any sign with an intended use in excess of 90 days from the date
743 of installation shall be deemed a permanent sign unless otherwise indicated elsewhere in
744 this Article.

745 Person: Any person or persons, individual or groups of individuals, company, firm,
746 corporation, partnership, organization or association.

747 Pole sign: A freestanding sign that is supported from the ground up by one (1) or more
748 poles, columns, uprights, braces or anchors more than two feet in height; the definition of
749 pole sign does not include flags, temporary signs, warning signs, safety signs, traffic
750 control device signs, statutory signs, parking space identifications signs or, canopy signs
751 ~~or awning signs~~.

752 Portable sign: A sign, except a motor vehicle sign, that is not permanently affixed to a
753 building, structure or the ground and designed to be moved from place to place. A
754 portable sign may fall within the definition of other types of signs, yet still be a portable
755 sign. For purposes of this definition, a cold air inflatable sign, mobile billboard
756 advertising sign, and A-frame sign, shall be considered to be portable signs.

757 Premises: A lot together with all buildings and structures if any.

758 Projecting sign: A sign attached to a building or other structure extending in whole or in
759 part more than 12 inches beyond the surface of the portion of the building to which it is
760 attached.

- 761 Real Estate Sign: A temporary sign advertising the sale, rental or lease of the premises or
762 part of the premises on which the sign is displayed temporarily. For purposes of this
763 Article, an open house or a model home sign shall be considered a real estate sign.
- 764 Roof signs: Any sign erected, constructed and maintained wholly upon the roof of any
765 building with the principal support on the roof structure.
- 766 Safety sign: See Warning signs.
- 767 Sign: Any written and/or illustrated device or display including structural or supporting
768 elements, consisting of letters, numbers, symbols, pictures, illustrations, announcements,
769 decorations, emblems, cut-outs, insignias, trademarks or demonstrations, banner, flag,
770 pennant string, attached balloon, streamers, spinners, or ribbons, that is designed to
771 convey information to the public. Wall murals, life-scenes and artwork that do not
772 communicate informational messages, apart from any artistic or aesthetic enjoyment, are
773 not signs.
- 774 Sign copy: The message or image conveyed by a sign.
- 775 Sign copy area: The surface area of a sign upon which the sign copy is displayed.
- 776 Sign face: The sum of the surfaces of the sign copy area as seen from one (1) plane or
777 elevation.
- 778 Sign height: The vertical distance measured from the average finished grade beneath the
779 sign to the topmost point of the sign structure.
- 780 Sign structure: Any construction designed to support or to provide a surface for a sign,
781 and including any marquee, canopy or awning.
- 782 Snipe sign: Any sign tacked, nailed, fastened, affixed to, painted, posted, pasted, glued
783 or otherwise attached to trees or other vegetation (living or dead), telephone poles, utility
784 poles, or fences, with the message appearing thereon not applicable to the owner utility
785 poles or present use of the premises upon which the sign is located.
- 786 Special event: An event as defined by Section 14 of the Edgewood Code of Ordinances.
- 787 Statutory sign: A sign required by any statute of the State of Florida or the United States.
- 788 Street address sign: Any sign denoting the street address of the premises on which it is
789 attached or located.
- 790 Suspended sign: A sign attached to and located below a canopy or similar structure.
- 791 Temporary sign: Any sign, banner, valance or display constructed of cloth, canvas, light
792 fabric, cardboard, wallboard or other light materials, with or without frames, intended to
793 be displayed for a period of time not to exceed 90 days, or as otherwise authorized by this
794 Article. Certain temporary signs require permitting by the City while others do not.
- 795 Traffic control device sign: Any sign located within the right-of-way that is used as a
796 traffic control device and that is described and identified in the Manual on Uniform
797 Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator
798 as the National Standard. A traffic control device sign includes those signs that are
799 classified and defined by their function as regulatory signs (that give notice of traffic laws
800 or regulations), warning signs (that give notice of a situation that might not readily be

801 apparent), and guide signs (that show route designations, directions, distances, services,
802 points of interest, and other geographical, recreational, or cultural information). Some
803 traffic control device signs may be portable.

804 Vehicle sign: A sign on a truck, vehicle, or trailer which displays an advertisement or
805 business identification of its owner for the purpose of providing transportation for owners
806 or employees of the business advertised on the vehicle.

807 Wall sign/attached sign: A sign that is attached to and extends no more than 12 inches
808 from a wall or painted on a wall of a building.

809 Warning sign or safety sign: A sign that provides warning of a dangerous condition or
810 situation that might not be readily apparent or that poses a threat of serious injury (e.g.,
811 gas line, high voltage, condemned building, etc.) or that provides warning of a violation
812 of law (e.g., no trespassing, no hunting allowed, etc.).

813 Wind Sign: A sign that uses objects or a series of fabric, paper, plastic, or other similar
814 material fastened in such a manner as to move upon being subjected to pressure by wind,
815 and shall include, ribbons, spinners, streamers or captive balloons; however, the term
816 wind sign shall not include flags.

817 Window sign: A temporary or permanent sign mounted, attached to, placed upon or
818 painted on a window of a building that is viewable from the outside of the building.

819

820 **Sec. 122-3. Permits and Fees**

821

822 A. No sign shall be erected, structurally altered or relocated, without paying the
823 appropriate fee as set by resolution of the City Council and obtaining a City sign permit.
824 This requirement applies to all signs, except those specifically exempted by this Chapter
825 and any signs lawfully existing on the date of adoption of this Chapter, which shall be
826 subject to Sections 122-20 through 122-24 regarding nonconforming signs. The sign
827 permit and fee is in addition to any building permit and fee required to be obtained
828 pursuant to the Florida Building Code.

829

830 B. No sign permit shall be issued for the display of a prohibited sign.

831

832 C. A sign lawfully displayed may be repainted, or have ordinary and customary repairs
833 performed, including replacement of plastic or glass panels, without a new sign permit;
834 however, if such sign is to be structurally altered in any manner, relocated or its sign copy
835 area increased, a new sign permit shall be required and the altered sign must meet all
836 requirements of this Chapter, Code of Ordinances, and the Florida Building Code.

837

838 **Sec. 122-4. Permit Applications.**

839

840 A. Applications for a sign permit shall be made in writing upon forms furnished by the
841 City. The applicant shall furnish the following information on or with the sign permit
842 application form. City staff has the authority to require additional information on the
843 form application that is not inconsistent with this Article.

- 844 1. Name, address and telephone number of the person making application for the permit.
845 If the applicant is anyone other than the property owner, the applicant shall provide
846 notarized authorization from the property owner permitting the installation of the sign.
- 847 2. Name, address and telephone number of the property owner. If the owner is an entity
848 other than an individual, list the contact person's name and contact information.
- 849 3. Name, address and telephone number of the business tenant, if applicable. If the tenant
850 is an entity other than an individual, list the contact person's name and contact
851 information.
- 852 4. Name, address, telephone and license number of the contractor, if applicable. If the
853 contractor is an entity other than an individual, list the contact person's name.
- 854 5. Address and legal description of the property upon which the sign is to be located and
855 include a parcel identification number and zoning district. The legal address may be
856 located on a certified boundary survey.
- 857 6. Lot frontage on all streets and public rights-of-way.
- 858 7. Indicate in feet and inches the location of the sign in relation to property lines, public
859 rights-of-way, easements, buildings and other signs on the property.
- 860 8. Freestanding signs shall require a current boundary survey or site-plan drawn to scale
861 showing the sign dimensions and elevation, sign height, dimensions of the sign's copy
862 area and any illumination type, placement, intensity and hours of illumination.
- 863 9. Three copies of the plans, specifications, calculations and details, signed and sealed by
864 an engineer or architect licensed in Florida, specifications documenting compliance with
865 applicable provisions of the Florida Building Code. If the sign is illuminated, the sign
866 company must provide a statement stating that the sign illumination does not exceed 300
867 foot candles.
- 868 10. Number, type, location and sign copy area and height of all existing signs on the
869 same premises.
- 870 11. Landscape plan, as applicable.
- 871 12. Signature of applicant.
- 872 B. Unless a Master Sign Plan is required pursuant to Section 5-113, the City Planner or
873 designee shall determine if the permit application complies with all applicable
874 requirements of this Article and all other applicable laws, ordinances and regulations. If
875 the City Planner or designee determines that the permit application complies with all
876 applicable requirements of this Article and all other applicable laws, ordinances and
877 regulations, the City Planner or designee shall issue a sign permit.
- 878 C. Any permit issued under this Article shall be void if no substantial physical action is
879 taken in accordance with the sign permit, any permit conditions and the applicable
880 requirements of this Article within 180 days following the date of its issuance.
- 881 D. Any sign permit issued pursuant to this Article shall remain in effect as long as the
882 sign is maintained in compliance with the approved sign permit as well as all applicable

883 provisions of this Article and the applicant did not misrepresent or falsify any
884 information provided in the application.

885

886 E. Staff Review.

887

888 1. The sign permit application shall be reviewed by the City Planner or designee for a
889 determination of whether the proposed sign meets the applicable requirements of this
890 Article, all other applicable ordinances and any applicable zoning law. The review of the
891 sign permit application shall be completed by the City Planner or designee within 10
892 business days following receipt of a completed application and any applicable fees after
893 the date of receipt. A sign permit shall either be approved, approved with conditions
894 (meaning legal conditions existing in this Article such as dimensional requirements), or
895 disapproved, and the decision shall be reduced to writing. A disapproval shall include or
896 be accompanied by a statement of the reason(s) for the disapproval. In the event that no
897 decision is rendered within the period of time referenced herein the application shall be
898 deemed denied and the applicant may appeal to the BZA. Any appeal shall be heard and a
899 decision rendered within the time frames specified in this Article for appeals.

900 2. For the purposes of calculating compliance with the 10 business day deadline herein,
901 for a decision upon an application, the decision shall be deemed made when deposited in
902 the mail, transmitted electronically, or hand delivered to the applicant.

903 3. An application which is materially incomplete or which is not accompanied by the
904 required fee shall not be deemed accepted, and the time for review of the application shall
905 not commence until a complete application accompanied by the required fee is filed with
906 the City Planner or designee. However, the City Planner or designee shall keep a record
907 of incomplete applications or any application not accompanied by the correct fee, as
908 required by applicable public record laws. In addition, the City Planner or designee shall
909 within 10 business days of receipt of such an application, provide the applicant a written
910 explanation of the deficiencies and ask that the deficiencies be remedied, explaining that
911 the application cannot proceed forward and that the application will be deemed
912 withdrawn if the deficiencies are not cured within sixty calendar days.

913 4. As exceptions to the foregoing, the 10 business day deadline for approval shall not
914 apply (that is, the time shall be suspended) for the following:

915 a. If the applicant is required to make any change to the application in order to obtain an
916 unconditional approval, the time shall be suspended while the applicant makes such
917 change.

918 b. If an applicant is required to obtain an approval from any other governmental agency,
919 the time shall be suspended until such approval is obtained.

920 c. In any of the foregoing cases, the applicant may elect in writing to make no change to
921 the application; or obtain no approval that may be required by another governmental
922 agency. In such event, the City Planner or designee shall make a decision on the
923 application as submitted. In this instance, if a decision is not made within 10 business
924 days of receipt of the applicant's election to not change the application or obtain any

925 approval that may be required by another governmental agency, the application shall be
926 deemed denied.

927

928 **Sec. 122-4. Appeals.**

929

930 A. Whenever it is alleged that there has been an error in any order, action, decision,
931 determination, or requirement by the City Planner or designee in the enforcement and
932 application of any provision contained within this Article pertaining to sign permits
933 (including any allegation that an administrative official has failed to act within applicable
934 time frames), the aggrieved party may file a written appeal.

935 B. The written appeal, together with any appeal fee as may be set by resolution of the
936 City Council, shall be filed with the City Planner within 30 days of the date of the
937 determination, action, decision and/or alleged error. The written appeal shall describe the
938 alleged error and the applicable provisions of the Article pertaining to the City Planner or
939 designee's order, decision, requirement or failure to act.

940 C. The Board of Zoning Adjustment (BZA) shall hold a hearing within 45 days
941 following receipt of the written appeal, not counting the day of receipt and not counting
942 any non-business days, which falls upon the first, or the 45th day after the date of receipt.

943 D. The (BZA) shall render a decision at the public hearing meeting, or at the discretion
944 of the BZA, at the next regularly scheduled meeting following the public hearing.

945 E. If the BZA does not render a decision within the time frame referenced above, the
946 appeal shall be deemed denied.

947 F. Failure to appeal the decision of the City Planner or designee to deny a sign
948 application shall not be deemed a failure to exhaust administrative remedies. The
949 applicant may choose to proceed directly to a judicial action once the sign application has
950 been denied by the City Planner or designee.

951 G. Once a decision is appealed to the BZA, the City Planner or designee shall take no
952 further action on the matter pending the BZA's decision, except for unsafe signs that
953 shall present an immediate and serious danger to the public in which case the City may
954 pursue any proper legal remedy available to it.

955 H. All decisions shall be mailed, transmitted electronically or hand delivered to the
956 applicant. The City shall keep a record of the date of mailing, electronic transmittal or
957 hand delivery.

958 I. Any person or persons, or any board, taxpayer, department, or bureau of the City
959 jointly or severally aggrieved by any decision of the BZA regarding an appeal of any
960 order, requirement, decision, or determination made by the zoning administrator in the
961 administration or enforcement of the zoning code may appeal said decision directly to
962 City Council by filing a notice of appeal with the City Clerk within thirty (30) days of the
963 rendition of the board's decision. A hearing before City Council on the appeal will then
964 be scheduled and placed on a future City Council meeting agenda.

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966 **Sec. 122-5. Substitution of non-commercial speech for commercial speech.**

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Notwithstanding anything contained in this Chapter to the contrary, any sign erected pursuant to the provisions of this Chapter may, at the option of the owner, contain a non-commercial sign message in lieu of a commercial sign message and the non-commercial copy may be substituted at any time in place of the commercial copy provided that the sign complies with the sign standards and other applicable requirements contained within this Chapter.

Sec. 122-6. Content neutrality as to sign message.

Notwithstanding anything in this Chapter to the contrary, no sign or sign structure shall be subject to any limitation based upon the content of the message contained on such sign or displayed on such sign structure.

Sec. 122-7. Exemptions from Sign Permitting.

The following exempt signs do not require a sign permit but may require a permit pursuant to the Florida Building Code. The number of exempt signs and an exempt sign's copy area shall not be calculated in a lot or premises' total allowable number of signs and sign copy area. However, these exemptions in no way waive any applicable limitation or restriction on the number, size, height, setback, placement or duration of such signs regulated by this Chapter or any limitation or restriction under any other applicable law or regulation.

A. All signs (except window signs which shall be subject to the provisions of this Chapter) located entirely inside the premises of a building or enclosed space and which are not readily visible from the exterior of the enclosed space or premises.

B. Statutory signs, traffic control device signs, or signs required by law, administrative order or judicial order erected by public employees performing official duties.

C. One on-site temporary garage-yard sale sign may be displayed along each public street abutting the premises. However, the sign shall only be displayed on the parcel of land upon which the garage-yard sale is taking place and shall not be placed in the right-of-way. A temporary garage-yard sale sign shall not exceed 4 square feet in sign area and 3 feet in height. A temporary garage-yard sale sign may not be displayed for a period longer than 3 days during any calendar month and shall be removed upon the conclusion of the garage-yard sale or 3 day period, whichever occurs first.

D. For each parcel within the City, one temporary on-site real estate signs may be displayed along each public street abutting the premises but shall not be placed in the right-of-way and shall be removed immediately upon the sale, lease or rent of the real estate that was offered for sale, lease or rent. Temporary real estate signs shall not exceed 6 square feet in sign copy area and 3 feet in height for residential zoned properties, and 32 square feet in sign copy area and 12 feet in height for non-residential zoned properties. When more than 1 dwelling unit or non-residential space on a parcel of

1013 land is for sale, lease or rent, there may be 1 additional temporary window real estate sign
1014 located at each such unit or space for sale, lease or rent and shall be subject to regulations
1015 herein regarding window signs.

1016
1017 E. Street address signs.

1018
1019 F. Nameplate or occupant identification signs. For each residence, business or other
1020 occupancy within the City, 1 attached wall nameplate sign may be displayed. For
1021 residences, the nameplate or occupant identification signs shall not exceed 2 square feet
1022 in total sign area. For any non-residential use, the nameplate or occupant identification
1023 sign shall not exceed 4 square feet in total sign area.

1024
1025 G. No permit shall be required for changing the copy of a sign, as long as the sign copy
1026 is not increased and/or no changes are made to the sign's height, size, location, or
1027 structural design or electrical elements.

1028
1029 H. Flags and flagpoles as regulated by Section 122-16 of this Chapter.

1030
1031 J. One or more window signs may be displayed on windows. On parcels that are in
1032 residential use, the temporary window sign(s) shall not exceed an aggregate of 3 square
1033 feet in total sign area.

1034
1035 K. Signs on buses, taxicabs, and similar common carriers that are licensed or certified by
1036 a governmental entity, and vehicle signs (except mobile billboard signs that are
1037 prohibited under this Chapter).

1038 L. Signs incorporated onto machinery and equipment by a manufacturer or distributor
1039 that identify the manufacturer, or product dispensed by the machine or equipment.

1040 M. Temporary on-site construction signs may be displayed, if necessary, more than 90
1041 days but shall be removed before or at the date the construction is no longer active. One
1042 sign shall be allowed on each parcel within the City. Temporary on-site construction
1043 signs shall not exceed 6 square feet in sign area and 4 feet in height for residential zoned
1044 properties, and 32 square feet in sign area and 12 feet in height for non-residential zoned
1045 properties.

1046
1047 N. Stringlighting and holiday and seasonal decorations.

1048
1049 O. One temporary valet parking station sign no more than 6 square feet in total sign area,
1050 and not more than 4 feet in height, shall be allowed on each non-residential parcel where
1051 the valet station is located. The temporary valet parking station sign shall only be visible
1052 during hours that the valet is operating, and shall be located on the same parcel as the
1053 valet station. Temporary valet parking station signs shall not be included in total signage
1054 area calculations.

1055

1056 P. In addition to any other sign allowed herein, one on-site free expression sign may be
1057 displayed along each public street abutting the premises but shall not be placed in the
1058 right-of-way. The free expression sign shall not exceed 6 square feet in total sign area and
1059 may be displayed as an attached sign, window sign or as a freestanding sign. If displayed
1060 as a freestanding sign, the freestanding sign shall not exceed 4 feet in height.

1061
1062 Q. For each parcel within the City, one on-site election sign for each candidate and each
1063 issue may be displayed along each public street abutting the premises but shall not be
1064 placed in the right-of-way. An election sign may be displayed as an attached sign or as a
1065 freestanding sign. On residentially zoned parcels, the election sign shall not exceed 6
1066 square feet in sign area; and, if the election sign is displayed as a freestanding sign on the
1067 parcel, the election sign shall not exceed 4 feet in height. On parcels that are not zoned
1068 residential, the election sign shall not exceed 32 square feet in sign area; and, if the
1069 election sign is displayed as a freestanding sign on the parcel, the election sign shall not
1070 exceed 12 feet in height. An election sign shall be removed within 7 calendar days
1071 following the election to which it pertains.

1072
1073 R. On-site parking space number or identification signs, not exceeding one square foot of
1074 sign face per sign, shall be allowed on each parcel having multiple parking spaces on-site.
1075 One such sign shall be allowed for each parking space. The maximum height for a
1076 freestanding or attached wall sign shall be 6 feet unless otherwise required by applicable
1077 law.

1078
1079 S. Warning signs and safety signs, not exceeding 4 square feet in sign area, shall be
1080 allowed in all zoning districts. The maximum height for these signs shall be 6 feet unless
1081 otherwise required by applicable law.

1082
1083 T. On-site non-commercial directional signs provided such signs do not exceed 8
1084 square feet.

1085
1086 U. On-site non-commercial directory signs provided such signs do not exceed 8 square
1087 feet.

1088
1089 V. On-site home occupation signs as regulated under the Code of Ordinances.

1090
1091 **Sec. 122-8. Prohibited Signs.**

1092
1093 Unless otherwise specifically provided herein, the following signs and sign-types are
1094 inconsistent with the purpose and intent of this Article and are therefore prohibited. Any
1095 permanent sign or sign-type that was lawfully in existence prior to the date of adoption of
1096 this ordinance that is among the prohibited signs and sign-types listed below shall be
1097 deemed a nonconforming sign subject to the provisions of Section 134-38 of the Code of
1098 Ordinances.

1099 A. Animated signs.

1100 B. Electronic changeable signs except when required as traffic control device signs or as
1101 otherwise specifically allowed by the Code of Ordinances or Land Development Code.

- 1102 C. Billboards.
- 1103 D. Off-site signs.
- 1104 E. Permanent banners, wind signs, ribbons, spinners, streamers or captive balloons or
1105 other inflatable signs or devices and fixed aerial signs.
- 1106 F. Any sign which, or any part of which, is in motion by any mechanical, electrical or
1107 human powered means.
- 1108 G. Any sign displaying flashing, undulating, swinging, rotating, revolving or scrolling
1109 lights; alternating or intermittent lights or lights of changing degrees of intensity,
1110 brightness, or color or move or appear to move.
- 1111 H. Any sign that emits sparks, fire, sound, vapor, smoke, odor, particles or gaseous
1112 matter.
- 1113 I. Any sign or exterior illumination sign that is not shielded so that the source of light
1114 (light bulb) can be seen from any abutting street or property or building other than the
1115 building or property to which the sign is related.
- 1116 J. Any sign constructed or maintained by an entity or person which, by reason of its size,
1117 location, movement, coloring or manner of illumination may be confused with or
1118 construed as a traffic control device or which hides from view any traffic control device.
- 1119 K. Any sign erected by an entity or person in or on or over any public right-of-way, or
1120 other public property, except where otherwise permitted under this Article.
- 1121 L. Any sign located in a manner that could impede traffic on any street, alley, sidewalk,
1122 bikeway or other pedestrian or vehicular travel way.
- 1123 M. Any sign other than a traffic control device sign is a copy or imitation of a traffic
1124 control device sign and which is located on or adjacent to the right-of-way of any road,
1125 street, or highway.
- 1126 N. Any sign that is wholly or partially illuminated by flashing or intermittent lights,
1127 rotary beacon lights, strobe lights or similar devices.
- 1128 O. Portable signs.
- 1129 P. Any sign that obstructs the sightline at private drives and/or public rights-of-way as
1130 determined by Section 5-107 of this Article.
- 1131 Q. Temporary signs except those allowed by this Article.
- 1132 R. Snipe signs.
- 1133 T. Signs that display any statement, word, character, or illustration of any obscene nature,
1134 as defined by Chapter 847, Florida Statutes.
- 1135 U. Mobile billboard signs consistently or repeatedly parked for more than 24 consecutive
1136 hours at a fixed location on any street or visible within 100 feet of any street.
- 1137 V. Signs, other than those erected by a federal, state and/or local government, pursuant to
1138 federal or Florida law, within any waterway within the City.

1139 W. Signs attached to a dock, tie pole, or pier, other than building address numbering or
1140 safety signs.

1141 X. Abandoned signs.

1142 Y. Bench signs larger than 12 square inches.

1143 Z. Pennant strings.

1144 AA. Pole signs that exceed five (5) feet in sign height.

1145

1146 **Sec. 122-9. Compliance with Florida Building Code.** It shall be unlawful for any
1147 person or business or the person in charge of the business to erect, construct, alter or
1148 maintain a sign which must be constructed, altered, or maintained in accordance with the
1149 Florida Building Code, without first obtaining a building permit from the City. The
1150 requirement of a building permit under the Florida Building Code is separate and
1151 independent of the requirement for a sign permit under this Chapter.

1152

1153 **Sec. 122-10. Sign copy area calculations.**

1154

1155 Sign copy area square footage shall be calculated using standard geometry formulas for
1156 common shapes. Common shapes shall include squares, rectangles, trapezoids, circles,
1157 and triangles. In the case of irregular shapes, the total sign area will be the area of the
1158 smallest common shape that encompasses the various components of the sign.
1159 The supporting structure or bracing of a sign bearing no sign copy shall not be counted as
1160 a part of the sign copy area. Signs with 3 or more sign faces or with 2 sign faces not
1161 computed as a single sign pursuant to Section 122-11 below shall have a sign copy area
1162 that is the sum of all the sign faces.

1163

1164 **Sec. 122-11. Number of signs.**

1165

1166 For the purpose of determining the number of signs, a single sign shall be construed to be
1167 a sign that has its copy area on one side and contains elements organized, related and
1168 composed to form a single unit. A sign with sign copy area on both sides shall be
1169 construed as a single sign provided both copy areas are not more than 3 feet apart at their
1170 closest point, and that they describe an internal angle between the copy area planes
1171 extended to no more than 30 degrees.

1172

1173 **Sec. 122-12. Sign location and setbacks.**

1174

1175 A. Freestanding signs shall not be located within any side or rear lot line required setback
1176 nor closer than 5 feet to any street right-of-way line unless otherwise provided by this
1177 Chapter.

1178

1179 B. A sign shall not be located in the sight clearance triangle defined as a triangular area
1180 of property located at the corner of two intersecting roads with the two street sides of the
1181 triangle each being 25 feet in length from the point of intersection and the third side being
1182 a line connecting the ends of the 2 other sides.

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C. If a driveway intersects a public right-of-way, no sign shall obstruct sight lines at elevations between 2.5 feet and 10 feet high within a triangular area of property on both sides of a driveway formed by the intersection of each side of the driveway and the public right-of-way line with two sides of each triangle being 10 feet in length from the point of intersection and the third side being a line connecting the ends of the 2 other sides.

Sec. 122-13. Sign lighting.

A. Any external lighting used to illuminate signs shall be shielded such that the light source (light bulb) cannot be seen from abutting roads or properties.

B. Sign lighting shall not be designed or located to cause confusion with traffic lights.

C. Illumination of signs by floodlights or spotlights is permissible if none of the light emitted shines directly onto an adjoining property or into the eyes of the pedestrians, cyclists or motorists using or entering public rights-of-way.

D. Illuminated signs shall have luminance no greater than 300 foot candles.

E. Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface.

F. Illumination of signs shall be constant in intensity and color and shall not consist of flashing, animated or changing lights.

G. No unshielded light source may be visible from the edge of the public right-of-way at a height of 6 feet.

Sec. 122-14. Maximum sign number and copy area.

When the maximum number of signs and the maximum allowable copy area is specified, the maximum number of signs shall not be exceeded even though the maximum allowable copy area is not used. However, signs exempted from this Chapter, menu boards, menu display signs, signs integral to gas pumps, and temporary signs shall not be calculated in determining the maximum number and area of signs permitted on a premises.

Sec. 122-15. Window signs.

Window signs shall not exceed twenty-five percent of the area of a window on which said sign is located, and the total area of all window signs shall not exceed twenty-five percent of the building's window area. Such signage shall include permanently-affixed window signs, neon signs, fixtures suspended behind and within 3 feet of the window or any other sign displayed that is readily visible from the exterior of the building.

1229 **Sec. 122-16. Flags.**

1230

1231 A. Flag size on all residential zoned lots shall not exceed 24 square feet. Flag size on all
1232 non-residential zoned lots shall not exceed 40 square feet.

1233 B. Flags shall be attached to a flag pole or mounting hardware permanently affixed to a
1234 building or attached to a flag pole permanently anchored in the ground.

1235 C. The maximum number of flags strings shall not exceed a combined total of three (3)
1236 per lot.

1237

1238 **Sec. 122-17. Banner signs.**

1239

1240 Banner signs may only be displayed as provided herein:

1241

1242 1. No banner sign shall be displayed unless a permit is issued by the city clerk,
1243 which permit will be issued upon a finding of the following facts:

1244

1245 i. That the banner sign is to be located on the premises owned or leased by
1246 the applicant; and

1247

1248 ii. That the banner sign or copy thereon does not violate any provisions of
1249 this chapter.

1250

1251 2. Applications for banner sign permits under this section shall be submitted in
1252 writing to the city clerk and shall contain all pertinent information relating to the
1253 banner sign, including its size, copy and dates of display. All approvals or denials
1254 shall be in writing on, or accompanied by, one copy of the application. Approvals
1255 shall clearly state the dates the banner sign may be displayed and the information
1256 regarding an approved location within the following limits:

1257

1258 i. Banner signs may be permitted on a property for up to 30 consecutive
1259 calendar days provided that an applicant shall not be permitted to display
1260 banner signs on the same property more than 60 total days in a calendar
1261 year.

1262

1263 ii. Banner signs shall be limited to one banner sign on the property and
1264 may be mounted on a building or other appropriate support. If not
1265 mounted on a building, the banner sign must be at least 20 feet from
1266 adjacent property lines and not over 20 feet above the ground.

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1268 iii. Each banner sign shall be limited to a maximum of 40 square feet of
1269 copy area.

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iv. All banner sign shall be maintained in good condition and shall be repaired or removed within 24 hours of notice that such action is required.

3. Banner signs allowed under this section shall be exempt from the other building permit requirements.

4. No streamers, pennants, flags, ribbons, spinners, wind-operated devices, or other prohibited devices shall be included or incorporated with the display of a banner sign approved under this section.

Sec. 122-18. Signs on or over public property.

No person shall erect a sign on or over any public right-of-way.

Sec. 122-19. Zoning District Specific Regulations.

A. In addition to all other applicable regulations contained in the Code of Ordinances, signs located within commercial, professional office and industrial zoning districts shall comply with the following:

1. General Requirements.

Total sign copy area for all signs permitted in this section shall not exceed 100 square feet.

2. Requirements by type of sign.

i. Freestanding signs.

a. One (1) on-site freestanding sign shall be permitted per lot or outparcel along each public street abutting the premises.

b. Freestanding sign copy area shall not exceed 100 square feet of copy area for a freestanding sign or 60 percent of the width of the building frontage, whichever is less.

c. Freestanding signs shall not exceed eight (8) feet in sign height.

ii. Wall signs.

a. One (1) wall sign shall be permitted on the ground floor of a building for each business occupant with direct access to the outside of the building.

b. Total wall signs copy area may not exceed 60 square feet or 60 percent of the width of the building frontage, whichever is less.

c. No wall sign shall extend above the wall of the building to which the sign is attached.

- 1310 iii. Awning/Canopy signs.
- 1311 a. Awning/canopy sign copy area shall not exceed 16 square feet.
- 1312 b. A minimum clearance of nine (9) feet shall be maintained
- 1313 between the bottom of an awning/canopy and any pedestrian
- 1314 walkway.
- 1315 c. The supporting structure of an awning or canopy may not
- 1316 encroach into or over a public street right-of-way.
- 1317 d. The awning/canopy copy area shall be counted as a part of the
- 1318 total allowable area for wall signs and toward the total copy area
- 1319 permitted.
- 1320 iv. Suspended signs.
- 1321 a. One (1) suspended sign is permitted at a location immediately
- 1322 adjacent to the use the sign is associated with, but it may not be
- 1323 located over or in a public right-of-way.
- 1324 b. Suspended signs shall be mounted perpendicular to the building
- 1325 façade and shall maintain a minimum clearance of nine (9) feet
- 1326 between the bottom of the sign and the pedestrian walkway.
- 1327 c. Suspended signs of four (4) square feet or less in area shall not
- 1328 be counted in the total sign copy area. Suspended signs exceeding
- 1329 four (4) square feet in area shall be counted in the total aggregate
- 1330 sign copy area permitted.
- 1331 v. Marquee signs.
- 1332 a. One (1) marquee sign, not to exceed 16 square feet of copy area,
- 1333 may be erected to or hung from a marquee.
- 1334 b. Signs hung from a marquee shall have a minimum clearance of
- 1335 nine (9) feet above the finished grade of a sidewalk.
- 1336 c. Signs shall not extend outside the perimeter of the marquee.
- 1337 d. The copy area of a marquee sign shall be counted as part of the
- 1338 total allowable copy area for wall signs and toward the total copy
- 1339 area permitted.
- 1340 vi. Projecting signs.
- 1341 a. One (1) projecting sign is permitted per business occupant with
- 1342 direct access to the outside of the building.
- 1343 b. The copy area of a projecting sign shall not exceed 16 square
- 1344 feet.
- 1345 c. A projecting sign may extend not more than four (4) feet beyond
- 1346 the wall of the building to which it is attached.

1347 d. A minimum clearance of nine feet above the finished grade of a
1348 pedestrian walkway, and no projecting sign shall impede
1349 pedestrian movement or cause a safety hazard.

1350 e. Projecting sign copy area shall be counted as a part of the total
1351 allowable area for wall signs and toward the total copy area
1352 permitted.

1353 vii. Restaurant menu display signs.

1354 a. Each restaurant shall be allowed one attached menu display sign
1355 of no more than six (6) square feet of sign copy area that is located
1356 at the entrance or service window of a restaurant as well as two (2)
1357 freestanding drive-through menu boards.

1358 b. Drive-through menu boards shall be placed so as to be viewed
1359 from the drive-through lane and shall contain only a listing of
1360 products offered for sale by the business with prices and may
1361 provide a mechanism for viewing and ordering products offered on
1362 the drive-through menu boards.

1363 c. Drive-through menu boards shall have copy area not exceeding
1364 32 square feet each. The top of the signs and their surrounding or
1365 supporting framings/structures shall not exceed eight (8) feet above
1366 ground level.

1367 d. Drive-through menu board lettering shall be no larger than
1368 necessary in order to be read from a vehicle located in the drive-
1369 through lane.

1370 e. Drive-in restaurants may have one additional attached sign, not
1371 exceeding six (6) square feet in total sign area, per drive-in stall or
1372 bay.

1373 f. Drive-through menu boards and menu display signs shall not be
1374 included in the total aggregate sign number and copy area
1375 permitted for the lot or premises.

1376 viii. Motor vehicle service stations and convenience stores with fuel
1377 operations.

1378 a. Corporate stripes, logos, and designs, proposed for the principal
1379 structure or the canopy over the fuel operations, shall be counted as
1380 part of the overall permitted sign copy area.

1381 b. No additional sign copy area is permitted for canopies over fuel
1382 operations; however, permitted wall sign copy area for the
1383 principal structure may be transferred to the canopy.

1384 3. Prohibited signs.

1385 Except for those signs expressly permitted within this section, all signs not
1386 otherwise exempt from permitting are prohibited within commercial, professional
1387 office, institutional and industrial zoning districts.

1388 B. In addition to all other applicable regulations contained in the Code of Ordinances,
1389 signs located within residential zoning districts shall comply with the following:

1390 1. General Requirements.

1391 i. Residential subdivision signs are permitted at the entrance of the
1392 subdivision. Entrance signs shall not exceed 25 square feet of sign copy area per sign.
1393 Total entrance signage shall not exceed a total copy area of 50 square feet.

1394 ii. No sign shall exceed five (5) feet in sign height.

1395 2. Requirements by sign type.

1396 i. Real Estate signs.

1397 a. One (1) real estate sign may be permitted per parcel for sale or
1398 lease. However, such signs shall be placed on the property for sale
1399 and not in the right-of-way.

1400 b. The total sign copy area shall not exceed six (6) square feet.
1401 Total sign copy area includes the primary for sale or lease sign and
1402 any associated rider signs.

1403 c. Hanging-style real estate sign post height shall not exceed six (6)
1404 feet and wood or steel frame or yard-type signs shall not exceed
1405 three (3) feet in height.

1406 d. Signs shall be removed upon the sale or lease of the property.

1407 3. Prohibited signs.

1408 Except for those signs expressly permitted within this section, all signs not
1409 otherwise exempt from permitting are prohibited within residential zoning districts.
1410 Internally illuminated signs are prohibited within this zone.

1411

1412 **Sec. 122-20. Additions.**

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1414 No additions or enlargements shall be made to a nonconforming sign except those
1415 additions or enlargements that are required by law.

1416

1417 **Sec. 122-21. Modifications.**

1418

1419 A nonconforming sign that is modified by being moved, replaced or structurally altered
1420 shall be brought into conformance with this Chapter.

1421

1422 **Sec. 122-22. Damage.**

1423

1424 A. A nonconforming sign that is damaged shall not be repaired if the estimated cost to
1425 repair the sign exceeds 50 percent of its appraised value immediately prior to the date of
1426 destruction of the damaged sign; "appraised value" shall mean either the appraised value
1427 for property tax purposes, updated as necessary by the increase in consumer price index
1428 since the date of last valuation, or the valuation determined by a professionally

1429 recognized appraiser. A damaged nonconforming sign that cannot be repaired shall be
1430 removed within 30 days of the date the sign was damaged.

1431

1432 B. Whenever a nonconforming sign is damaged and the estimated cost to repair the sign
1433 is 50 percent or less of its appraised value immediately prior to the date of destruction of
1434 the damaged sign, before the sign was damaged, it may be repaired and restored to the
1435 condition it was in before it was damaged and may continue to be used as a
1436 nonconforming sign, provided that such repairs and restoration are started within 90 days
1437 of the date the sign was damaged and are diligently pursued thereafter.

1438

1439 C. Whenever repairs and restoration of a damaged nonconforming sign are not started
1440 within 90 days of the date the sign was damaged or are diligently pursued once started,
1441 the sign shall be deemed abandoned. An abandoned sign shall be removed as provided
1442 by this Chapter.

1443

1444 **Sec. 122-23. Maintenance.**

1445

1446 A. No nonconforming sign shall be permitted to remain unless properly maintained.
1447 Proper maintenance shall include but not be limited to ensuring that all components of the
1448 sign, including structural and supporting components are free of rust, flaking or peeling
1449 paint, mildew, or decay. Upon determination by the City's Code Enforcement Special
1450 Magistrate that a nonconforming sign has not been maintained as required herein, the
1451 Code Enforcement Special Magistrate shall order the nonconforming sign to be removed
1452 or otherwise brought into compliance with the existing Code in addition to any other
1453 remedies ordered. Any nonconforming sign that is determined by the City to be an
1454 unsafe sign shall be removed as provided for by this Chapter.

1455

1456 B. Nothing in this section shall be deemed to prevent the maintenance of any sign or
1457 manual changes of sign copy on a nonconforming sign.

1458

1459 **Sec. 122-24. Limitations.**

1460

1461 The casual, illegal, or temporary use of any sign shall not be sufficient to establish the
1462 existence of a non-conforming use or to create any rights in the continuance of such use.

1463

1464 **Sec. 122-25. General.**

1465

1466 Signs installed in violation of this Chapter shall be removed or brought into compliance
1467 with the requirements of this Chapter. The sign owner, the owner of the property on
1468 which the sign is placed and the sign contractor shall each be held responsible for
1469 adherence to this Chapter and any other applicable laws or regulations. This Chapter may
1470 be enforced through code enforcement proceedings or by any equitable or legal remedy
1471 available to the City.

1472

1473 **Sec. 122-26. Immediate removal of unsafe signs.**

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1475 If the City finds that when any sign is in violation of this Chapter or other applicable
1476 regulations or State law or and by reason of its violation presents an immediate and
1477 serious danger to the public, the City may, without prior written notice, order the
1478 immediate removal or repair of the sign within a specified period. The City may remove
1479 or authorize others to remove the sign in the event that the owner for such sign cannot be
1480 found or if that person, after notification, refuses to repair or remove it. The owner of the
1481 building, structure, or premises on which the sign is located, are jointly and severally
1482 liable for the cost of removing such sign. The City shall have the right to recover from the
1483 owner or person placing such sign the cost of removal and disposal of such sign.
1484

1485 **Sec. 122-27. Removal of abandoned signs.**
1486

1487 The owner of an abandoned sign shall remove the abandoned sign within 30 days of the
1488 date of the City's order to remove the sign. A sign need not be removed when a successor
1489 tenant, or business or property owner, agrees to maintain the sign as provided in this
1490 Chapter, by filing a letter of intent with the City no later than 30 days after receiving
1491 notice to do so from the City.
1492

1493 **Sec. 122-28. Removal of signs erected without a permit.**
1494

1495 The City may remove or order the removal, without prior written notice, of any sign
1496 erected without a sign permit required by this Chapter.
1497

1498 **Sec. 122-29. Removal of signs on public property.**
1499

1500 Any sign installed or placed on public property, except in conformance with the
1501 requirements of this Chapter, shall be forfeited to the City and confiscated. The City shall
1502 have the right to recover from the owner or person placing such sign the cost of removal
1503 and disposal of such sign.
1504

1505 **Sec. 122-30. Safety Considerations.**
1506

1507 In addition to any requirements of this Chapter, code, or other law, signs shall not be
1508 erected, maintained, and placed in such as way as to pose a safety hazard.
1509

1510 **Sec. 122-31. Conflicting Requirements.**
1511

1512 These sign regulations shall not be construed to permit the erection, placement, or
1513 maintenance of any sign at any place or in any manner unlawful under any other City
1514 Code provision or other applicable law. In any case where a part of these sign regulations
1515 conflicts with a provision of any zoning, building, fire, safety, health ordinance or other
1516 code, the provision that establishes a stricter standard for the protection of the public
1517 health and safety shall prevail.
1518

1519 **Sec. 122-32. Severability.**
1520

1521 A. General.

1522

1523 If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term,
1524 or word of this Chapter, this Code, or any adopting ordinance is declared unconstitutional
1525 by the valid judgment or decree of any court of competent jurisdiction, the declaration of
1526 such unconstitutionality shall not affect any other part, section, subsection, paragraph,
1527 subparagraph, sentence, phrase, clause, term, or word of this Chapter.

1528

1529 B. Severability where less speech results.

1530

1531 Without diminishing or limiting in any way the declaration of severability set forth above
1532 in section 122-32 A., or elsewhere in this Chapter, Code, or any adopting ordinance, if
1533 any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or
1534 word of this Chapter is declared unconstitutional by the valid judgment or decree of any
1535 court of competent jurisdiction, the declaration of such unconstitutionality shall not affect
1536 any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause,
1537 term, or word of this Chapter, even if such severability would result in a situation where
1538 there would be less speech, whether by subjecting previously exempt signs to permitting
1539 or otherwise.

1540

1541 C. Severability of provisions pertaining to prohibited signs.

1542

1543 Without diminishing or limiting in any way the declaration of severability set forth above
1544 in section 122-32 A., or elsewhere in this Chapter, Code, or any adopting ordinance, if
1545 any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or
1546 word of this Chapter or any other law is declared unconstitutional by the valid judgment
1547 or decree of any court of competent jurisdiction, the declaration of such
1548 unconstitutionality shall not affect any other part, section, subsection, paragraph,
1549 subparagraph, sentence, phrase, clause, term, or word of this Chapter that pertains to
1550 prohibited signs, including specifically those signs and sign-types prohibited and not
1551 allowed under section 122-8 of this Chapter. Furthermore, if any part, section, subsection,
1552 paragraph, subparagraph, sentence, phrase, clause, term, or word of section 122-8 is
1553 declared unconstitutional by the valid judgment or decree of any court of competent
1554 jurisdiction, the declaration of such unconstitutionality shall not affect any other part,
1555 section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of
1556 section 122-8.

1557

1558 D. Severability of prohibition on billboards.

1559

1560 If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term,
1561 or word of this Chapter and/or any other Code provisions and/or laws are declared invalid
1562 or unconstitutional by the valid judgment or decree of any court of competent
1563 jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on
1564 billboards as contained in this Chapter and Code.

1565

1566 **SECTION THREE. Codification.** It is the intent of the City Council of the City of
1567 Edgewood that the provisions of this Ordinance shall be codified. The codifier is granted
1568 broad and liberal authority in codifying the provisions of this Ordinance.

1569
1570 **SECTION FOUR. Effective date.** This Ordinance shall take effect immediately upon
1571 adoption as provided by the Charter of the City of Edgewood.

1572
1573 PASSED ON FIRST READING THIS _____ DAY OF _____, 2014.

1574
1575 PASSED AND ADOPTED THIS _____ DAY OF _____, 2014.

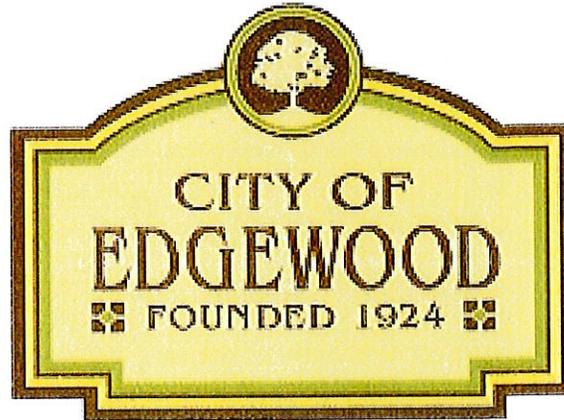
1576
1577
1578 CITY OF EDGEWOOD, FLORIDA
1579 CITY COUNCIL

1580
1581
1582 _____
1583 John Dowless, Council President

1584
1585
1586 _____
1587 Bea Meeks, City Clerk

1588

CITY OF EDGEWOOD



ACCOUNTING

POLICIES AND PROCEDURES

November, 2014

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SECTION 1. INTRODUCTION

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ACCOUNTING POLICIES AND PROCEDURES MANUAL

This manual explains the procedures used in the Accounting Department/Staff and illustrates the interrelationship of the various accounting functions. Its primary purpose is to assist new personnel with assigned tasks and to document the internal control procedures in effect in the Accounting Department/Staff.

Sec 1-1. FUND ACCOUNTING

The City uses fund account groups to report its financial position and the result of operation. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A *fund* is a separate accounting entity with a self-balance set of accounts comprised of assets, liabilities, fund equity, revenue, and expenses.

An *account group*, on the other hand, is a financial reporting device designed to provide accountability for certain assets and liabilities that are not recorded in the funds because they do not directly affect net expendable available financial resources.

Government resources are allocated to and accounted for in individual funds based upon the purposes for which they are spent and the means by which spending activities are controlled.

The City's funds and account groups follow the State of Florida's Department of Revenue Chart of Accounts and are described below:

Sec 1-2. GOVERNMENTAL FUND TYPES

Governmental Fund Types

A. General Fund
(Fund code 001)

This is the principal fund of the City and is used to account for all financial resources except those required to be accounted for in another fund. The City uses the General Fund to account for the normal recurring activities of the City (i.e. general administration, personnel and consulting fees).

B. Capital Projects Funds
(Fund code 301-399)

These funds are used to account for the financial resources to be used for the acquisition or construction of major capital facilities (other than those financed by proprietary funds and trust funds). Expenditures made in these funds are transferred to the General Fixed Assets Account Group when completed. As of the adoption date of this manual the City has no Capital Projects Funds.

ACCOUNTING POLICIES AND PROCEDURES MANUAL

C. Special Revenue Funds (Fund Code 101-199)

Special Revenue Funds are used to account for the proceeds of specific revenue sources (other than expendable trusts or for major capital projects) that are legally restricted to expenditures for specific purposes (i.e., non ad-valorem special assessments for stormwater and solid waste collection, and local option gas tax).

Proprietary Fund Types

A. Enterprise Fund (Fund code 401-499)

The Enterprise Fund is used to account for operations financed and operated in a manner similar to private business enterprises where the intent of the City Council is that the costs (including depreciation) of providing services to the general public on a continuing basis be financed or recovered primarily through user charges; or where the City Council has decided that periodic determination of revenue earned, expenses incurred and/or net income is appropriate for capital maintenance, public policy, management control, accountability or other purposes. As of the adoption date of this manual the City has no enterprise funds.

Account Groups

The account groups include the City's general fixed assets and its outstanding general long-term debt, which are not recorded in the assets or liabilities of any fund. The account groups are not funds because they do not reflect spendable financial resources available for current activities. The account groups are described as follows:

A. General Fixed Assets Account Group (Fund code 901-949)

This account group is a self-balancing group of accounts used to record the fixed assets of a governmental unit, which are not related to a particular fund.

B. General Long-Term Debt Account Group (Fund code 951-999)

This account group is a self-balancing group of accounts used for recording the principal portion of the long-term liabilities of governmental fund type not paid with current resources.

Sec 1-3. BASIS OF ACCOUNTING

Basis of Accounting refers to the recognition of revenue and expenditures or expenses in the accounts as reported in the financial statements. Basis of accounting relates to the timing of the measurements made regardless of the measurement focus applied. Within this measurement focus, only current assets and current liabilities are generally included on the balance sheet.

Operating statements of these funds present increases (i.e. revenues and other financial sources) and decreases (i.e. expenditures and other financial uses) in net current assets.

Proprietary funds are reported using the economic resources measurement focus and the accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred. In accordance with the Government Account Standards Board (GASB) Statement No. 20 "Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting", the City has selected one of the two options available for proprietary fund reporting. The City will apply all applicable GASB pronouncements and all Financial Accounting Standards Board (FASB) Statements and Interpretations, Accounting Principles Board (APB) Opinions, and Accounting Research Bulletins (ARB) issued on or before November 30, 1989, unless they conflict with or contradict GASB pronouncements.

The modified accrual basis of accounting is used by all governmental fund types and agency funds. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e. when they become both measurable and available).

"Measurable" means the amount of the transaction that can be determined, and "available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. The City considers governmental fund revenue as available if they are collected within 60 days after year end. Primary revenue sources that are determined to be susceptible of accrual include taxes and special assessments, intergovernmental shared revenues and operating grants, charges for services, and interest earnings on investments. Primary revenue sources that are determined not to be susceptible of accrual include licenses, permits, fines and forfeitures. Expenditures are recorded when the related fund liability is incurred. Principal and interest on general long-term debt are recorded as fund liabilities when due.

Sec 1-4. CASH AND CASH EQUIVALENTS

For purposes of the statement of cash flows, the proprietary fund considers all highly liquid investments with an original maturity of three months or less when purchased to be cash equivalents.

ACCOUNTING POLICIES AND PROCEDURES MANUAL

Sec 1-5. PROPERTY AND EQUIPMENT (INVENTORY)

Property and equipment owned by the City are stated at cost or, if contributed, estimated fair market value at the date of contribution. Leased equipment under capital leases are recorded at fair market value at the beginning of the lease term. As of the adoption date of this manual, the City has no lease agreements.

Property and equipment used in governmental fund type operations are accounted for in the General Fixed Assets Account Group rather than in the governmental funds. Public domain assets consisting of certain improvements other than buildings, including streets, sidewalks, drainage systems, lighting systems and similar assets, are not capitalized. No depreciation has been provided for general fixed assets. With the implementation of GASB Statement No. 34, fixed asset schedules will be recorded.

- Equipment 5–7 years
- Improvements other than buildings 20 years

The City does not have an enterprise however, the City may need to include a depreciation schedule.

Sec 1-6. BUDGETS

A combined annual operating budget is adopted for the General Fund and Special Revenue Funds. The budget, as adopted, may only be amended through formal approval by the City Council as per the ⁱⁱCity Charter. The annual budgets shown in the financial statements include all amendments to the original budget as approved during the year by the City Council. Budgetary control is maintained at the fund level. The annual budget begins on October 1st and ends on September 30th.

The City uses the following procedure in establishing the budgetary data reflected in the financial statements:

- On or before July 15 of each year, the Mayor shall submit a proposed preliminary budget in accordance with state law. It shall outline the financial policies of the City for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in fiscal policy, summarize the City's fiscal position, and include any other material as the Mayor deems necessary.
- Per the ⁱⁱⁱCharter, at least sixty (60) days prior to the start of the fiscal year, the Mayor shall propose a budget message.
- In addition to the proposed budget, the City Clerk shall submit a proposed Budget Timetable, as outlined in the Truth in Millage Compliance Manual (TRIM). This timetable will identify all Budget Workshops and Budget Hearing dates for the approval of the upcoming fiscal year budget.

- Prior to the ^{iv}Special Meeting held in accordance with the City Charter, the Mayor submits to City Council a proposed operating budget for the fiscal year commencing October 1st as per TRIM law.
- Prior to the Regular City Council Meeting in September, the Mayor submits to the City Council a final operating budget for the fiscal year commencing October 1st as per TRIM law.
- During the City's fiscal year, budget revisions are submitted to the Council for review and adoption to transfer funds between departments, offices or agencies. These revisions should be made prior to the monies being encumbered for expenditures as required by F.S. Chapter 200.
- The budget is adopted on a basis that is consistent with the Generally Accepted Accounting Principles (GAAP), and meeting the requirements outlined in the TRIM provided each year by the Department of Revenue.
- All appropriations which are not expended or accrued lapse at year end, except for budgeted Capital Projects.
- Annual budgets are adopted for the General Fund, and Special Revenue Funds.

Sec 1-7. TRUTH IN MILLAGE (TRIM)

The City of Edgewood adopts a millage rate each year by Ordinance, and adopts the fiscal year budget by Resolution. The adoption of the millage and budget follow the procedure outlined in Florida Statute and the Truth in Millage Compliance Manual provided each year by the Department of Revenue.

Sec 1-8. LOCATION OF DATA

- a. City Hall receipts:
Maintained with the corresponding payable/receivable file in the Accounting Department/Staff.
- b. City Hall petty cash box:
Locked cabinet in Administrative Assistant's office
- c. SAGE (f/k/a Peachtree) software including general ledger, accounts payable and accounts receivable.:
In the public domain of the server
- d. Audit, budget, fixed asset, TRIM and payroll information:
In the City Clerk's folder entitled "Finance" in sub-folders entitled "audit", "budget", and "financial statements".
- e. Payroll, including timesheets, paystubs, 941s and UCTs are maintained by the Accounting Department/Staff.

SECTION 2. GENERAL ACCOUNTING PROCEDURES

Sec 2-1. CASH

Cash and cash equivalents consists of petty cash funds, interest bearing bank accounts, checking accounts, and pooled investments with the State Board of Administration (SBA). The cash in the proprietary fund may not combine with the cash in the general fund account, this applies to the checking account and the State Board of Administration. Cash from special revenue funds may share the same bank account as the general fund.

Sec 2-2. CASH RECEIPTS

The Accounting Department/Staff is responsible for all bank deposits using the following procedures:

Checks received via person or mail:

- Checks are immediately stamped on the back by the person receiving the check, processed through SAGE and given a receipt.

General Fund Receivables:

- Each General Fund receivable is processed through SAGE, including Electronic Funds Transfer (EFT). The deposit ticket is completed as follows:
 - Cash is recorded under cash and placed in the bank's courier bag.
 - Checks are recorded by vendor name in SAGE.
 - A deposit report is printed out and attached with the deposit slip.
 - Deposit slip is totaled. As of the adoption date of this manual, the City's bank request that one total sum for cash, and one total sum for checks be entered on the deposit slip. The bank does not want individual check entries.
 - Double check deposit ticket total to the deposit report for the numbers entered above. This should match the deposit slip total.
- Make photocopy of the checks. Several checks may be on one sheet but should be in the order of the deposit ticket.
- Attach all checks to a copy of the deposit slip.
- The Accounting Department/Staff will verify Report total with deposit slip total. Any discrepancies will be researched and corrected immediately.

As of the adoption date of this manual, the bank provides a courier to pick up City deposits. Close out the month by making sure that the last deposit of the month is taken to the bank on the last working day of the month. Attach deposit receipt to the copies of the checks.

EFT Receipts are to be date stamped and placed in folders marked according to the appropriate vendor. The folders will be maintained in the locked file cabinet in the Accounting Department/Staff.

Sec 2-3. DETAIL OF CASH RECEIPTS PROCEDURE FOR SAGE SOFTWARE

The person receiving the EFT or cash receipt is responsible for entering the EFTs and cash receipt in the Accounts Payable Program using the following procedures. The Accounting Department/Staff is responsible for verifying the data after being entered with the transaction report.

Journal Entries created on the following:

- Franchise Fees
 - County Business Tax Distribution
 - Communication Service Tax
 - ½ Cent Sales Tax
 - State Shared Revenue
 - LOGT-Local Option Gas Tax
 - Ad Valorem Tax
 - Non Ad Valorem
-
- When entering Ad Valorem and Non Ad Valorem Taxes - enter them each separately.

SECTION 3. BANK RECONCILIATION

Bank reconciliation is the responsibility of the Accounting Department/Staff. The Accounting Department/Staff will complete bank reconciliation's for each bank account, including the pooled funds, once a month.

Sec 3-1. RECONCILIATION

This process is performed by using the following documents:

- AP check register detail
- PR check register
- GL transaction register
- Outstanding checks list from previous month reconciliation

The reconciliation consists of comparing the above documents to the banks statements. All outstanding checks and/or deposits are listed for the next reconciliation in a document in the Accounting Department/Staff. The same process is used for the General Fund account and the Proprietary Fund account.

Sec 3-2. CHECK REGISTER

A check register shall be kept by copying copies of the checks along with the backup information in a bound folder in numerical order. This shall be retained in the file cabinet in the Accounting Department/Staff.

Sec 3-3. BANKING DATA

A folder for the banking issues for each month, located in a locked file cabinet in the Accounting Department/Staff shall contain:

- Copies of disbursement vouchers (checks), including check registers and transfer reports
- Copies of payroll checks, including payroll reports and transfer reports
- All bank statements
- Journal entry documentation
- Health Insurance payment sheet, reconciled to payroll
- Mayor shall review data monthly

SECTION 4. FIXED ASSETS, ROADS, DRAINAGE, ETC. , REPORTING AND DEPRECIATED

Sec 4-1. FIXED ASSETS

The Accounting Department/Staff is responsible for the processing of, and the reporting of, fixed assets. General fixed assets include Land, Buildings, Improvements Other Than Buildings, and Machinery & Equipment.

The City maintains all assets in the General Fixed Asset Account Group. This group is not a fund but acts more like a subsidiary ledger for all the assets that are purchased with governmental proceeds. General Fixed Assets are not depreciated at this time but shall be in accordance with GASB 34.

The Proprietary Fund of the City accounts for its fixed assets in the same manner as a business. Assets purchased by this fund type are depreciated. The City uses the straight line method for accounting for these assets.

Sec 4-2. THRESHOLD

Any single item costing \$1,000 or more shall be added to the fixed asset group. This applies to all types of funds.

Sec 4-3. COLLECTION OF DATA

The Accounting Department/Staff shall track capital expenditures.

A separate list shall be kept detailing all fixed assets by department. Assets that are no longer in possession of the City shall be removed from the fixed asset list. A description including

ACCOUNTING POLICIES AND PROCEDURES MANUAL

the date and reason for removal shall be noted. The data is kept in the City Clerk's Finance Folder, in a sub-filed called "fixed assets".

For new purchases, the date of the check, the check number, the vendor, the description, and the amount of the check shall be added to the fixed asset schedule.

The deletions and additions are subtracted or added to the current fixed assets schedule and submitted to the City auditors as part of the yearly audit.

Depreciation schedules will be added to the fixed assets schedule with the implementation of GASB 34.

SECTION 5. ACCOUNTS PAYABLE

Accounts payable is the responsibility of the Accounting Department/Staff.

Sec 5-1. APPROVAL OF EXPENDITURES

The Mayor shall approve all City expenditures, both for the general fund types and the proprietary fund type. Any and all accounts payable requests, including invoices, check requests, and petty cash slips, shall be approved by the Mayor prior to payment. The approval shall be in writing and located on each voucher.

Sec 5-2. SIGNING OF CHECKS

The City Council's policy is that each check must be signed by the ^{vi}Council President, Mayor or any Council Member, for checks in an amount less than \$1000. Checks in the amount of \$1000 or more shall be signed by any of the aforementioned signatures.

Sec 5-3. ACCOUNTS PAYABLE CYCLE

The payment of invoices shall follow this cycle and should take place at least bi-weekly:

1. The voucher is received and date stamped.
2. The voucher is routed to the Accounting Department/Staff who checks for accuracy and authenticity.
3. The voucher is placed in the 'To Be Approved' folder, awaiting approval from the Mayor, or designee.
4. The Mayor, or designee, approves the voucher. If there is no approval, the issue causing the disapproval must be resolved before submitting the voucher for approval again.

ACCOUNTING POLICIES AND PROCEDURES MANUAL

5. The Accounting Department/Staff inputs the information in the accounts payable software, prints the checks, and prints the check register for that batch of checks.
6. The checks, invoices, and the check register are submitted to the Mayor, or designee who verifies that all the information is accurate.
7. The checks are submitted for signatures
8. A copy of the checks are made (this is the permanent copy).
9. The Accounting Department/Staff transfers and posts the batch of checks to the General Ledger.
10. The Accounting Department/Staff prepares the checks for mailing,

Sec 5-4. DETAIL OF ACCOUNTS PAYABLE CYCLE PROCEDURE FOR SAGE SOFTWARE:

1. An invoice or check request form is received and date stamped.

The City Clerk or designee opens the mail and date stamps the vouchers as received. Or an employee submits an invoice for payment and it is date stamped.

2. The voucher is routed to the Accounting Department/Staff who checks for accuracy and authenticity.

The Accounting Department/Staff checks the voucher for accuracy, authenticity, and checks for previous payment.

3. The voucher is placed in the 'To Be Approved' folder, awaiting approval from the Mayor, or designee.

After verification, the Accounting Department/Staff places the voucher or check request in the folder labeled 'To Be Approved'.

4. The Mayor, or designee, approves the voucher. If there is no approval the issue must be resolved before submitting for approval a second time.

The person approving the checks is contacted and asked to approve a batch of invoices for payment. If there is no approval on any voucher, inquire as to the reason why, resolve the issue, and submit for approval.

5. The Accounting Department/Staff inputs the information in the accounts payable software, prints the checks, and prints the detailed check register for that batch of checks.

This function is processed through SAGE accounting software.

6. The checks, invoices, and the check register are submitted to the Mayor, or designee, who verifies that all the information is accurate.

ACCOUNTING POLICIES AND PROCEDURES MANUAL

The Accounting Department/Staff prints out the check register

The Accounting Department/Staff ensures that all the data on the invoices are on the checks and in the check register. If the data is not correct, now is the time to go back and make corrections before they are transferred and posted to the General Ledger.

7. The checks are submitted for signature.

In a timely manner, the Accounting Department/Staff will attach the corresponding invoice to each check and submit the batch to the appropriate persons for signing.

The signed checks are returned to the Accounting Department/Staff. The Accounting Staff inspects each check for the appropriate signatures pursuant to Council policy. If the signatures are not in accordance with policy, the check is not to be mailed, but shall be resubmitted for signature. (Pending any unresolved issues, if any).

8. Copies of the checks are made.

For all checks that are ready to be mailed out, the Accounting Department/Staff will make copies of the checks and all the backup information pertaining to the checks, this is the permanent record.

9. The Accounting Department/Staff then transfers and posts the checks to the General Ledger.

10. The Accounting Department/Staff prepares the checks for mailing, mails the checks, and files the invoices.

The Accounting Department/Staff prepares the checks for mailing ensuring that the invoice number and account number are on the check, proper documents are returned with payment to the vendor, mails the checks, and files the invoices.

Sec 5-5. CHECK REQUESTS

A check request form is used for authorizing payment for items or services when there is no invoice available such as the PBA and Florida State Retirement expenditure or for an invoice that would trigger the use of a Purchase Order. They are to be treated identical to an invoice and follow the accounts payable procedure listed in Sec 5-2 and Sec 5-3.

Sec 5-6. PURCHASE ORDERS

A purchase order is a legal document authorizing the purchase of and subsequent payment for materials, supplies, equipment, repairs, and services over \$100.00. It contains the quantity, description, the cost of the items ordered, the department to be charged, and an authorizing

ACCOUNTING POLICIES AND PROCEDURES MANUAL

signature section. Purchase Order (PO) Forms are to be requested and completed using the following procedures.

1. Beginning the first day of each month:
 - Accounting Department/Staff will pull the necessary number of PO's for regular monthly purchases from set vendors, i.e., Gator Tire, Capital Office Products, etc.
 - Accounting Department/Staff will complete each PO with the required information and forward the PO's to the Mayor for signature.
2. Procedures for regular PO's:
 - Request PO from the Accounting Department/Staff.
 - Accounting Department/Staff completes the information on the form and submits it to the Mayor for approval with the appropriate backup materials attached.
 - Mayor reviews and signs the PO and returns it to the Accounting Department/Staff for processing.
 - The Accounting Department/Staff will place orders for all departments.
 - Upon receipt of the goods or services, the invoices or bills of laden should be clearly marked with the master PO number and forwarded to the Accounting Department/Staff.
 - At the last day of the month, the Accounting Department/Staff will process the PO as usual, attach the appropriate invoices, and schedule for payment.
3. Emergency Purchases

From time to time purchases must be made immediately that cannot wait through the normal signature approval process. When such a purchase is necessary, the department head will contact the Mayor and explain the emergency nature of the purchase. If the Mayor approves the purchase, the Mayor will notify the Accounting Department/Staff to proceed with the purchase. The P.O. will be filled out as stated above and a note will be written on the PO that this was made as an emergency purchase. The Department Head will sign and give it to the Accounting Department/Staff for it to be processed through to the Mayor.

The following information is to be used to complete the P.O.

1. Ship To – complete if you want the product shipped directly to your facility. If it is coming to City Hall you can write City Hall in that space. Address not needed as it is preprinted on the PO form.
2. Mail Invoice to – City Hall for all invoice mailing. You may write City Hall in that space.
3. Authorized signature – this is where the vendor signs when you send them the white copy. If you fax it ask them to sign and fax it back. A facsimile is acceptable for recordkeeping.
4. Person to Contact: This should be a department contact person
5. Phone : Contact person's direct extension and number
6. Fax: Contact person's direct if available

7. Detail of Purchase – if you have a written estimate or written proposal – write “see attached estimate/proposal” in the description area. **YOU MUST ATTACH THE WRITTEN ESTIMATE/PROPOSAL TO THE INVOICE WHEN SUBMITTING IT FOR APPROVAL.**
8. Only if known
9. Give specific details if needed on the delivery of the product or services
10. Approval:
 - Department Head and date
 - Department Head and date
 - Mayor and date

Sec 5-7. PETTY CASH

The City maintains a petty cash fund in the following amounts:

City Hall	\$100.00
Police Department	\$50.00

Petty cash is maintained in City Hall by the City Clerk or designee, and is maintained in the Police Department by the Police Clerk. To receive reimbursement from the petty cash fund an individual must submit a receipt(s) for the expenditure noting the breakdown of accounts to be charged. The City Clerk and Police Clerk verify that each purchase is supported by a receipt and that the expenditures are valid. After verification, the City Clerk and Police Clerk will dispense the petty cash.

All petty cash slips will be signed off by the Mayor, or designee, appointed for expenditure approval.

Sec 5-8. VOIDED CHECKS

Voided checks are entered into the SAGE program under the vendor name. Voided checks shall be marked “VOID” across the face of the check with the date voided. The Mayor, or designee, must initial to acknowledge that the check has been voided.

SECTION 6. PAYROLL

The items discussed in this section relate to the functions related to the payroll process. The functions are examined in terms of the procedures involved in processing the payroll, the generation of reports and the handling of retirement. As of the adoption date of this manual, the City’s payroll services are processed are outsourced.

The City Clerk is responsible for:

- Establishing a personnel services charge system using time sheets to account for all hours worked including PTO.

ACCOUNTING POLICIES AND PROCEDURES MANUAL

The Accounting Department/Staff

- Accounting and record keeping of all employees deductions for Federal and Social Security Taxes, health insurance, deferred compensation, etc.

The Payroll Services are responsible for:

- Preparing pay checks for all employees and maintaining payroll accounts for each employee.

Each Department Head is responsible for:

- Verification and approval of each employee's time sheet. If PTO is utilized, the time used will need to be indicated on the employee's timesheet and forwarded through the required approval process as described in the Employee Manual.

Payroll is completed every two weeks. The pay period begins on Monday and ends on a Saturday. Paychecks are provided electronically to employees on Wednesday of the payroll week.

Copies of payroll checks are made and become the permanent record.

Every hourly employee must fill out and sign a time sheet.

Sec 6-1. PROCESSING PAYROLL DATA AND TIME SHEETS

NEW HIRES:

Newly hired employees will fill out a new hire packet as prepared and presented by the City Clerk. The forms include a W-4, I-9 Form, employee loyalty oath, emergency contact information and final pay designation, life/health/dental enrollment form, Drug Free Workplace form, Employee Manual Receipt, IRC Section 125 form, employee orientation checklist and the City property issuance list.

- The City Clerk is responsible for providing the New Hire information to the City's payroll service, who will submit the New Hire information to the State of Florida.
- The Accounting Department/Staff will transfer Payroll into General Ledger upon receipt of the information from the City's payroll service.

SECTION 7. GENERAL LEDGER

The Accounting Department/Staff administers the financial activities of the City with the General Ledger. All software modules transfer into the General Ledger. These include:

- Accounts Payable
- Payroll
- Cash receipts
- General Ledger Journal entries are entered in batches that balance.

Sec. 7-1. ANNUAL PROCEDURE

At the beginning of each fiscal year, the budget needs to be set in the SAGE Program.

Sec 7-2. BI-WEEKLY PROCEDURES

During the bi-weekly process the following procedures will occur:

A. Accounts payable:

When the Accounting Department/Staff processes a batch of Accounts Payable (AP) checks (copies) plus the check register, the batch from AP is to be transferred to General Ledger, with the system date in General Ledger set to the date the checks were printed, and reconciled until balanced. The Accounting Department/Staff will transfer the batch disbursements from AP into the General Ledger.

The Accounting Department/Staff posts the batch disbursements from AP into the General Ledger as follows:

B. Payroll:

The Accounting Department/Staff will close the Payroll period and transfer it to the General Ledger, with the system date in General Ledger set to the date the paychecks were printed, and reconciled until balanced.

C. Building Permits:

As of the adoption date of this manual, Building Permits are issued through Orange County. The City is required to stamp all permit applications before they are processed through Orange County. For those applications/plans that require review by the City Engineer and/or Planner, a fee is required. The fee is paid at the time of receipt of the application and processed through SAGE by the employee who takes the applications. The applicant receives a copy of the receipt, and a copy is maintained in the City's permit file.

D. All Other Receipts (City Hall & Police Department):

All general account receipts are processed through SAGE by the employee in the Department where the monies are received, i.e. finger printing fee, copy fees, notary services.

Sec 7-3. CLOSING THE MONTH

The Accounting Department/Staff is to close the month after receiving the bank statements and not more than 30 days after the end of the month to be closed.

The following procedure is used to close the month:

- 1) Reconcile all bank statements to the check register.
- 2) Enter in any deposits not previously entered
- 3) Enter any journal entries for the month, they are entered in a batch exactly like the deposits are entered.
- 4) Transfer any month end accounts payable or payroll
- 5) Reconcile the General Ledger to the bank statements
- 6) Verify all transactions are in the proper account
- 7) Print month-end reports, copy to City Council and Mayor

Sec 7-4. YEAR END CLOSING

To close out the year end, the Accounting Department/Staff will perform the following:

- 1) Review fund balance to ensure the equity accounts agree to prior year audited balance
- 2) Accrue for cumulative interest on banks accounts and CD's to ensure full value of cash and cash equivalent assets are correctly stated
- 3) Perform cut-off procedures and post where applicable for:
 - a. Revenues
 - b. Expenditures
 - c. Reversal of prior year revenues and expenditures
- 4) Bank reconciliation is printed and agrees to trial balance to prevent updates subsequent to year end affecting bank reconciliation worksheet

Sec 7-5. REPORTS

MONTHLY:

- 1) Florida State Retirement (FRS) report

The City Clerk or designee will process the Employer/Employee contributions/deductions to FRS. Reporting and contributions will be processed in accordance with the State of Florida's schedule. Reporting is submitted online and the transfer of funds is done by Telephone. The FRS records are maintained in the City Clerk or designee office.

ACCOUNTING POLICIES AND PROCEDURES MANUAL

- 2) These reports are to be printed and provided to the Accounting Department/Staff to post into the General Ledger, and maintain in the FRS accounts payable file.

QUARTERLY:

The City's Payroll Service processes and submits the following on behalf of the City:

- 1) UTC-6, Florida Unemployment tax

An *Employer's Quarterly Report, UCT-6*, is due the 1st day of the month following the end of each calendar quarter and is late if not postmarked by the last day of the month/

- 1st quarter (January thru March) - due by April 30th
- 2nd quarter (April thru June) - due by July 31th
- 3rd quarter (July thru September) - due by October 31st
- 4th quarter (October thru December) - due by January 31st

However, if the last day of the month is a Saturday, Sunday or legal holiday; the timely filing period is extended until the end of the next working day.

If you are making your payment by EFT or Internet, you must initiate the payment by 5:00 p.m. ET on the business day prior to the filing date(s) listed above for your payment to be considered timely.

Whether you are a paper or electronic filer, you can sign up to receive an e-mail every collection period, reminding you of the due date.

Late filing penalty is charged at \$25 per month or fraction of a month that a report is delinquent. Interest is charged at 1% per month on the unpaid tax from the original due date until the tax is paid.

- 2) IRS Form 941, Employers Tax

- 1st quarter (January 1 thru March 31) - due by April 30th
- 2nd quarter (April 1 thru June 30) - due by July 30th
- 3rd quarter (July 1 thru September 30) - due by October 31st
- 4th quarter (October 1 thru December 31) - due by January 31st

ANNUALLY:

- 1) W-2, employee wages
- 2) 1099 contractor wages

The City's Payroll Services provides all documentation related to these filings. The folders for the quarterly and annual reports are located in the Accounting Department/Staff office.

SECTION 8. EMPLOYEE BENEFITS

Sec 8-1. FLORIDA STATE RETIREMENT SYSTEM (FRS)

The City has elected to participate in the Florida Retirement System and eligibility, benefits, and rules for participation are as provided in Chapter 121, Florida Statutes. The City will make contributions to employees' plan pursuant to the rates established by the State. Due to legislative changes in 2011, employees are required to contribute 3% of their gross monthly income.

Sec 8-2. HEALTH, DENTAL, VISION AND LIFE INSURANCE

Employee insurance is provided for as described in the Employee Manual. All health insurance information is located in the City Clerk's office. The City Clerk is responsible for handling the Human Resource function for the City. When an employee status changes in any way it is the City Clerk's responsibility to contact the appropriate insurance company (or companies) to provide the necessary information for the change (i.e. addition, deletion, or change in service).

Since insurance companies, and their procedures and forms, can often change the best practice is to contact each agency directly for instruction.

SECTION 9. BUDGET

Sec 9-1. SETTING UP NEW BUDGET

The City Clerk and/or Mayor's designee will enter the new budget into the City's accounting program during the budget process, for use in budget workshops and hearings. The accounting Department/Staff will review the new budget for accuracy upon final approval by Council.

Sec 9-2. CHANGING BUDGETED AMOUNTS

Any changes to the budgeted amounts must be approved by the Mayor by a line item transfer request if the changes are within the same budgeted department. If there are any changes from one budgeted department to another, City Council approval is required and a resolution must be adopted approving such change.

ACCOUNTING POLICIES AND PROCEDURES MANUAL

- The City Clerk will provide the approved changes to the Accounting Department/Staff to post to the General Ledger.

ⁱ As of the adoption of this manual, the City of Edgewood contracts with an outside accounting firm to provide accounting services. All references made to Accounting Department/Staff are interchangeable with the contracted accounting firm.

ⁱⁱ Section 5.06. – Amendments after adoption.

ⁱⁱⁱ Section 5.02. – Submission of budget and budget message.

^{iv} Section 5.05 Council actions.

^v This list is not inclusive.

^{vi} Resolution No. 2011-03 (As of the adoption date of this manual)

DRAFT

**CITY OF EDGEWOOD, FLORIDA
NOTICE OF GENERAL ELECTION**

PLEASE TAKE NOTICE that the City of Edgewood, Florida will hold a general election on Tuesday, March 10, 2015 for the purpose of electing a Mayor and two council members for two-year terms. These are at-large seats. When more than one office is being voted on such as that of council seats, those candidates receiving the highest number of votes shall be deemed elected. Accordingly the three candidates receiving the highest number of votes for city council member shall be elected to serve. Candidates may qualify during the period beginning January 9, 2015 at 9 a.m. and ending January 23, 2015 at 12 noon, at the Office of the City Clerk, 405 Larue Avenue, Edgewood, Florida.

**CIUDAD DE EDGEWOOD
NOTICIA DE ELECCIONES**

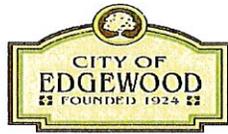
POR FAVOR DESEN CUENTA que la ciudad de Edgewood, Florida va a tener una elección general el Martes, el 10 de Marzo del 2015 con el propósito de elegir el Alcalde y dos miembros para la posición de consejero para la ciudad, cada silla para cada miembro es de dos años. Estas sillas son en grande. Cuando hay más de una oficina para elegir como las de los concejales, los candidatos recibiendo el número más alto de votos serán elegidos para servir. Para una sola silla como la del Alcalde, el candidato recibiendo los más votos será elegido para servir. Los candidatos pueden cualificar durante las fechas del 9 de Enero del 2015 a las 9 a.m., hasta el 23 de Enero del 2015 a las 12 del mediodía en la oficina de City Clerk, 405 Larue Avenue, Edgewood, Florida.

Bea L. Meeks, City Clerk
City of Edgewood
405 Larue Avenue
Edgewood, FL 32809
Phone 407-851-2920

ORLANDO SENTINEL - Legal Ads
PRESS DATE: 12/12/14 and 12/26/14

Billing Account # -

Please send confirmation.



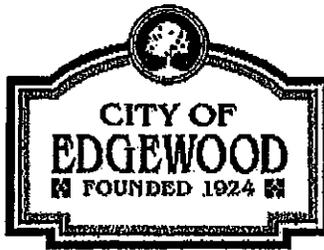
Memorandum

To: Bea Meeks, City Clerk
From: Cinnamon Wild, Administrative Assistant 
Date: 12/09/2014
Re: Planning and Zoning Meeting 12/08/2014

At the Planning & Zoning Board Meeting on 12/08/2014 the Save A Lot Food Stores requested a variance for their sign. Save A Lot is located at 5639 S. Orange Avenue in the Edgewood Isle Shopping Center. The applicant is proposing a 117.52 square foot sign above a 16,621 square feet leased space in the Edgewood Isle Shopping Center. Save A Lot applied for a permit for a sign that meets the code at 90.32 square feet, this permit application was approved by the City on 11/07/2014. The variance request is for the 17.52 square feet in excess of what the code allows.

Based on Planner's Hardgrove report she is recommending approval.

At the Planning & Zoning Board Meeting on 12/08/2014 Board Member Rayburn made the motion to approve; Seconded by Board Member Fischer. Co-chair Lomas opposed approval of the variance. Variance is approved 4/1.



Reference: City of Edgewood Code of Ordinances, Section 126-588
 PLANNING & ZONING BOARD
 MAKE PAYMENTS TO:
 CITY OF EDGEWOOD
 FEE: \$350 RESIDENTIAL
 \$750 COMMERCIAL

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

PLANNING & ZONING MEETING DATE:	
CITY COUNCIL DATE:	

IMPORTANT: FILE BY THE SECOND WEDNESDAY OF THE MONTH FOR FIRST HEARING ON THE SECOND MONDAY OF THE FOLLOWING MONTH

Please note this fee is non refundable.

NOTE: Notarized letter of authorization from Owner **MUST** be submitted if application is filed by anyone other than property owner

Applicant's Name:	Donna Langel	Owner's Name:	Dev Edgewood Isle Llp
Address:	400 Mack Dr Croydon, PA	Address:	1885 Main St W Unit 25 Hamilton On L8S-1G4 Canada
Telephone:	(215) 788-3898	Telephone:	(407) 426-2300
Fax:	(215) 788-7588	Fax:	
Email:	dlangelo@jonesign.com	Email:	anntfreeland@libertyum.com
Parcel ID/Legal description:	24-23-29-3404-00-051		
Zoned:			
Cite section of the Zoning Code from which variance is requested:			
Existing on site:			No sign
Request:			"food stores" sign 27.276

Revised 4/1/08

1 of 3

405 Larue Avenue, Edgewood, Florida, 32809-3406
 Phone: 407-851-2920 / Fax: 407-851-7361
 www.edgewood-fl.gov

To justify this variance, applicant must demonstrate the following:

1. That special condition and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or building in the same zoning classification
2. the special conditions and circumstances do not result from the action of the applicant
3. literal interpretation or enforcement of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Ordinance
4. the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue
5. the variance sought will not authorize or extend any non conforming use or other non conformity with respect to the land or structures in questions
6. the granting of the variance will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will not authorize a use of the property not permitted by its zoning classification
7. the variance sought will be consistent with the Edgewood Comprehensive Plan

Applicant must agree that:

1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances.

AGREE:	<input checked="" type="checkbox"/>	DISAGREE:	
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2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (a).

AGREE:	<input checked="" type="checkbox"/>	DISAGREE:	
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3. Concerning Ex parte communications, the applicant shall not speak to members of the Planning and Zoning Board of the City Council prior to the public hearing related to said variance request in order that said board members shall not prejudice themselves prior to said variance request coming before the City in an open proceeding where the decision making process and determination will be in full view of the public, thereby providing due process involving a fair opportunity for the presentation of both sides of the case in an open proceeding where a record of the proceedings may be kept

AGREE:	<input checked="" type="checkbox"/>	DISAGREE:	
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The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.

Applicant's Signature:	<i>Donna Langiel</i>	Date:	10-22-14
Applicant's Printed Name:	<i>Donna Langiel</i>		
Owner's Signature:	<i>Amirce Land</i>	Date:	10/27/14
Owner's Printed Name:	<i>Amirce Land</i>		

Please submit your completed application to City Hall via email at cityhallstaff@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only	
Rec'd Date:	10/29/14
Rec'd By:	Cinnamon Wild - via FIDEX
Forwarded to:	Ellen Handgore, AICP - City Planner
Notes:	for her review and approval to forward to P&Z.