

**ORDINANCE NO. 2018-07**

**AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, RELATING TO SIGNS; AMENDING CHAPTER 122 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES TO ALLOW AND REGULATE ELECTRONIC CHANGEABLE MESSAGE SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.**

**WHEREAS**, the regulation of signs is necessary to protect the public health, safety and welfare of the citizens, businesses and visitors to the City of Edgewood (“the City”); and

**WHEREAS**, the City Council recognizes that technology for electronic changeable message signs has substantially changed in recent years; and

**WHEREAS**, the City Council finds that electronic changeable message signs, when appropriately regulated, provide an efficient and economic manner of advertising; and

**WHEREAS**, research and studies have shown that electronic changeable message signs should not resemble traffic signs or other traffic indicators to ensure that digital signage does not compete with traffic signs or other traffic indicators and to avoid driver confusion [*Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs, Final Report*, J. Wachtel, April 2009, pp. 52-53]; and

**WHEREAS**, the City Council finds that blinking, flashing, animated, exploding, moving, audible, or scrolling messages or signs have proven to be difficult to ignore and therefore are ill-advised due to driver distraction and safety [J. Wachtel pp. 52-53; 326, 328]; and

**WHEREAS**, recent LED or other digital signage technology has the ability to allow “interaction” with individual drivers through a vehicle’s computer system, radio frequency system, or other means, such that the sign can depict a personalized message to the driver; still other digital signs can encourage drivers to interact with the sign by texting a message or calling a number on the sign, or can even capture images of drivers or passengers [J. Wachtel pp. 6, 9]; and

**WHEREAS**, the City Council finds and determines that prohibiting interactive LED or other digital signage ensures driver safety by reducing driver distraction; and

**WHEREAS**, excessively bright electronic signage draws attention to itself away from the roadway and official signs [J. Wachtel pp. 21-22]; and

**WHEREAS**, studies and research consistently recommend, and numerous states have found, that regulations and guidelines concerning brightness, message duration, instantaneous change intervals between displays, prohibition of visual or special effects between displays, prohibition of message sequencing, and spacing between digital outdoor signs can reduce driver distraction and safety concerns and can minimize the potential for adverse effects posed by the unique attributes of such digital signs [J. Wachtel pp. 5, 134, 145-149; *Memorandum re: Guidance on Off-Premise Changeable Message Signs*, Federal Highway Administration, September 25, 2007]; and

**WHEREAS**, a policy espoused in a memorandum issued by the U.S. Department of Transportation Federal Highway Administration dated July 17, 1996, was premised upon the concept that electronic changeable messages that are fixed for a reasonable time period do not constitute “moving” signs [*Memorandum re: Guidance on Off-Premise Changeable Message Signs*, Federal Highway Administration, September 25, 2007]; and

**WHEREAS**, the City Council finds that this Ordinance is concerned with the secondary effects of speech including but not limited to aesthetics and traffic safety, and are not intended to regulate viewpoints or censor speech, and for those and other reasons that the foregoing provisions are not subject to, or would not fail, a “prior restraint” analysis.

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

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

**SECTION TWO.** Chapter 122, “Signs,” of the City of Edgewood Code of Ordinances is hereby amended as follows (Note: additions are indicated by underline, deletions are indicated by ~~strikethrough~~, and portions of the Code that remain unchanged and which are not reprinted here are indicated by ellipses (\*\*\*):

**Sec. 122-2. Definitions.**

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

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

*Anchor tenant:* the major store(s) upon a multiple-occupant parcel that occupies building square footage on-site with a minimum area of ten thousand (10,000) square feet.

*Animated sign:* A sign which has any visible moving part, color change, Flashing or oscillating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that move, change, flash, oscillate or visibly alters in appearance. The term may include, but is not limited to, electronic changeable signs with optical illusion of movement, color change, or change of lighting, to depict action or create a special effect or scene; and signs using electronic ink, signs set in motion by wind or other movement of the atmosphere, any sign set in motion by intentional movement by a person, any type of screen using animated or Scrolling displays, such as an LED (light emitting diode) screen or any other type of video display.

*Attached sign:* A sign permanently attached to a building or structure.

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

*Awning sign:* A sign incorporated into an awning.

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

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

*Bench sign:* A sign on an outdoor bench.

*Billboard:* Any off-site sign or sign structure.

*Building frontage:* The vertical side of a building which faces a public right-of-way and is built to the principle plane.

*Changeable copy sign:* A non-electronic sign, or portion thereof, that is designed so that characters, letters or illustrations can be manually changed or rearranged without altering the sign face.

*Clearance:* The distance between the finished grade to the lowermost portion of the sign cabinet or face.

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

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

*Construction sign:* A temporary on-site sign identifying the ongoing construction activity during the time that a building permit is active and prior to completion of the work for which the permit was issued, and containing sign copy that is limited to the ongoing construction activity and identifying the contractor, professionals and/or any subcontractor engaged to perform construction activity on the site.

*Copy:* The combination of individual letters, numbers, symbols, depictions and the like, which are intended to inform, direct or otherwise transmit information.

*Copy area:* the entire area of the sign occupied by copy. Copy area is measured by enclosing by one continuous perimeter line the extreme limits of the sign which contains copy, including all ornamental attachments, insignias, symbols, logos, trademarks, interconnecting links and the like, and any stripe, Frame or border. Copy area does not include the main support structure of the sign unless it contains copy. The calculation for a double faced sign shall be the area of one (1) face only. When signs are enclosed in a cabinet or border, the internal perimeter of such cabinet or border will be used to calculate copy area.

*Display Time:* the time interval that a static message or frame remains on an Electronic Changeable Message Sign before transitioning to the next message or frame.

Dissolve: a mode of message transition on an Electronic Changeable Message Sign accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

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

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

Fade: a mode of message transition on an Electronic Changeable Message Sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Flashing: a rapid on and off display of messages, also defined as a message being displayed for less than the identified Display Time in the regulation.

*Fuel pump sign:* A sign located upon or integrated into a fuel pump.

*Flag:* A piece of fabric of distinctive design that is displayed hanging free from a staff, halyard, structure, or flag pole. Flags are not banners.

Frame: a complete, static display screen on an Electronic Changeable Message Sign.

*Freestanding sign:* Any sign supported by structures or supports that are placed on or anchored in the ground and that are independent of any building or other structure.

*Governmental right-of-way signs:* a sign erected by a governmental agency upon a public right-of-way.

*Ground sign:* a free-standing sign placed in or upon the ground.

*Hanging sign:* An attached sign that hangs or projects below the underside of an awning, canopy, arcade, eave, overhang, or other covering that projects outward from the face of a building.

Illuminance: the amount of light striking a lit object at a given distance (in this case a passersby eye), measured in foot candles.

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

Interactive Sign: A sign that has the ability to change the display based on the person or vehicle passing by.

*Large parcel sign:* a freestanding sign with sign height no greater than sixteen feet with a solid appearing base located on the ground with no airspace between the base and the sign cabinet. Large parcel signs are only allowed upon multi-occupant parcels at least five acres in size that

have a parcel depth of at least 375 feet measured from the front property line to the rear property line.

*Low-profile sign:* A freestanding sign with a sign height no greater than eight and one half (8 ½) feet that either has 1) a solid appearing base located on the ground with no more than two feet of airspace between the base and the sign cabinet or sign face or 2) is supported by one or more vertical supports with no more than two feet of airspace between the ground or base and the bottom of the sign cabinet or sign face.

*Maintenance:* The repairing or repainting of a portion of a sign or sign structure when neither the sign size nor copy area are altered; or manually changing changeable copy or renewing the copy for signs which have been made unusable by ordinary wear provided neither the sign size nor copy area are altered.

*Multi-occupant parcel:* A tax parcel that contains two or more distinct occupants internally separated by firewalls or demising walls, or in separate buildings.

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

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

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

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

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

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

*Pole sign:* A freestanding sign that is supported from the ground up by one or more vertical supports and which does not meet the definition of a low-profile sign or tall-profile sign. The definition of pole sign does not include flags, traffic control device signs, or parking space identifications signs.

*Portable sign:* a sign that is not permanently affixed to or planted in the ground or permanently affixed to a permanent structure utilizing standard construction procedures and materials that will not deteriorate.

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

*Projecting sign:* An attached sign permanently affixed to a building or other structure in such a manner that the sign face is not parallel with the wall or structural component to which it is attached.

*Roof signs:* Any sign erected, constructed and maintained wholly upon or above the edge of the roof eave of any building with the principal support along or atop the roof structure.

*Safety sign:* See Warning signs.

Scrolling: a mode of message transition on an Electronic Changeable Message Sign where the message appears to move vertically down or up the display surface.

*Sign*: Any surface, fabric, device or display which bears lettered, pictorial or sculptured matter, including forms shaped to resemble any human, animal or product designed to convey information to the public and is visible from an abutting property, from a public street, sidewalk or right-of-way, or from a body of water. For the purpose of this development code, the term "sign" shall include all structural members including the base. A sign shall be construed to form a single unit. In cases where matter is displayed in a random or unconnected manner without organized relationship of the components, each such component shall be considered a single sign. The term sign shall not include: holiday or seasonal decorations, merchandise displays located within a building, cemetery markers, or machinery or equipment signs.

*Sign cabinet*: a Frame or external structure that encloses the edges of one or more sign panels.

*Sign face*: The part of the sign that is or can be used to identify, display, advertise, communicate information, or for visual representation which attracts or intends to attract the attention of the public for any purpose.

*Sign height*: The vertical distance measured from the natural contour of the parcel to the topmost point of the sign structure.

*Sign panel*: A single surface upon which copy is printed which can be installed in a sign cabinet or attached to a sign structure.

*Sign structure*: Any structure which is designed specifically for the purpose of supporting a sign, has supported, or is capable of supporting a sign. This definition shall include any decorative covers, braces, wires, supports, or components attached to or placed around the sign structure.

*Snipe sign*: Any sign tacked, nailed, fastened, affixed to, painted, posted, pasted, glued or otherwise attached to trees or other vegetation (living or dead), telephone poles, utility poles, or fences, with the message appearing thereon not applicable to the owner of utility poles or present use of the premises upon which the sign is located.

Static: Motionless.

*Statutory sign*: A sign required by any statute of the State of Florida or the United States.

*Street address sign*: Any sign denoting the street address of the premises on which it is attached or located.

*Tall-profile sign*: a freestanding sign that has a sign height no greater than sixteen (16) feet and the bottom of the sign cabinet or sign face no lower than seven (7) feet above ground and which has the appearance of a single vertical support that is at least twelve (12) inches in width and no more than one third (1/3) of the width of the sign face. Vertical supports or support casings shall be constructed of durable non-corrosive material, permanently affixed to the ground and sign face or sign cabinet and shall be either be monotone or utilize brick or stone of a single color.

*Temporary sign*: a sign which is not designed, constructed, or intended to be placed for a period of sixty days or fewer.

*Traffic control device sign*: Any sign located within the right-of-way that is used as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National Standard. A traffic control device sign includes those signs that are classified and defined by

their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information). Some traffic control device signs may be portable.

Transition: A visual effect used on an Electronic Changeable Message Sign to change from one message to another.

Traveling: A mode of message transition on an Electronic Changeable Message Sign where the message appears to move horizontally across the display surface.

*Vehicle sign:* One or more signs on any vehicle or trailer which have a total sign area in excess of ten square feet, when the vehicle or trailer is not regularly used in the conduct of the business or activity advertised on the vehicle, and (a) is visible from a street right-of-way within 100 feet of the vehicle, and (b) is parked for more than five consecutive hours within 100 feet of any street right-of-way; for the purposes of this definition, a vehicle shall not be considered "regularly used in the conduct of the business or activity" if the vehicle is used primarily for advertising.

*Wall sign:* An attached sign permanently affixed to a building or other structure in such a manner that the sign face is flush against and parallel with the wall or structural component to which it is attached.

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

*Window sign:* Any sign attached to, suspended behind, placed or painted upon, the window or glass door of a building, which is intended for viewing from the exterior of the building.

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#### **Sec. 122-10. Prohibited Signs.**

The following types of signs are prohibited:

- A. Abandoned signs
- B. Balloons, cold air inflatables, streamers, and pennants.
- C. Banner signs except as expressly allowed in Section 122-12 herein.
- D. Bench signs, other than the identification of the transit company or its route schedule.
- E. Billboards.
- F. Electronic changeable message signs ~~unless otherwise specifically allowed herein~~ except as specifically allowed in Section 122-13 B. 4. A. v. herein.
- ~~G.~~ Pavement markings, except street addresses and vehicle directional arrows.
- ~~H.~~ Portable signs except as expressly authorized in Section 122-12 herein.
- ~~I.~~ Pole signs.

JI. Roof signs.

KJ. Signs in or upon any lake or other body of water.

LK. Signs erected by other than a governmental entity on or extending into publicly-owned land, easements or rights-of-way.

ML. Signs that emit sound, vapor, smoke, odor, particles, or gaseous matter.

NM. Signs that have unshielded illuminating devices or which reflect lighting onto public rights-of-way thereby creating a potential traffic or pedestrian hazard.

ON. Animated signs or signs that appear to display motion in any way whatsoever, including beacons.

PO. Signs that obstruct, conceal, hide, or otherwise obscure from view any traffic control device sign or official traffic signal.

QP. Snipe signs.

RQ. Obscene signs.

SR. Hazardous signs.

TS. Vehicle signs.

UT. Any sign that is not specifically described or enumerated as permitted.

VU. Signs attached to temporary structures.

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**Sec. 122-13. Signs Subject to Permitting.**

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**B. Non-residential.**

1. Unless otherwise specified, a maximum total copy area of two square feet for each linear foot of building frontage or 100 square feet, whichever is less, shall be allowed per parcel.
2. Multi-occupant parcels at least five acres in size with at least 375 feet of parcel depth measured from the front property line to the rear property line shall be allowed a maximum total copy area of two square feet for each linear foot of building frontage or 200 square feet, whichever is less.
3. For parcels abutting multiple rights-of-way, an additional maximum total copy area of one square foot for each linear foot of building frontage along each additional right-of-way or 100 square feet, whichever is less, shall be allowed. Any additional copy area allowed pursuant to this paragraph must be utilized along and directed toward the additional public rights-of-way.
4. Subject to the maximum total copy area, the following signs shall be permitted in all non-residential zoning districts:
  - a. Ground signs. Ground signs shall be permitted pursuant to the following:

i. One low-profile sign, ~~or~~ one tall-profile sign, consistent with the definitions for same, or one Electronic Changeable Message Sign consistent with the requirements in Section 122-13 B. 4. A. v. shall be allowed along each public road right-of-way the parcel abuts.

ii. On multi-occupant parcels at least five acres in size with at least 375 feet of parcel depth measured from the front property line to the rear property line, one large parcel sign, consistent with the definition for same, shall be allowed in lieu of a low-profile, ~~or~~tall-profile, or Electronic Changeable Message Sign.

iii. On parcels abutting multiple public road rights-of-way, one additional ground sign shall be allowed per secondary road frontage. The sign location along the secondary frontage shall be at least one hundred feet from the point of road intersection with the primary road, as measured along the right-of-way. The secondary frontage shall be the road with the lowest traffic count.

iv. With the exception of Electronic Changeable Message Signs, Ground signs may include multiple sign panels subject to the following:

1. No airspace shall exist between sign panels or sign cabinets;
2. Sign panels located on the same horizontal plane shall be of the same height and configured so that the top and bottom edge of each panel is aligned; and
3. When multiple sign panels are located on the same horizontal plane immediately above or below another row of multiple sign panels, all sign panels in such rows shall be of equal width and aligned so that the left and right edge of each panel is aligned.

v. Electronic Changeable Message Signs shall be subject to the following requirements:

1. Location. The Electronic Changeable Message Sign shall only be located along Orange or Hansel Avenues. An Electronic Changeable Message Sign will not be permitted in other locations. Electronic Changeable Message Signs shall comply with all applicable setback and spacing requirements.
2. Pre-existing signs shall not be modified or expanded to incorporate Electronic Changeable Message Signs.
3. The maximum sign surface area of the Electronic Changeable Message Sign sign panel shall be one-quarter (1/4) square foot per linear foot of building facade facing Orange or Hansel Avenue, excluding parking garages, with the maximum limit 16 square feet; only one Electronic Changeable Message Sign sign panel shall be allowed.
4. The maximum height of the sign structure shall be 6.5 feet.
5. The maximum width of the sign structure shall be 9 feet.

6. The Electronic Changeable Message Sign shall have a solid appearing base of two (2) feet in height, located on the ground (i.e., no airspace from the sign face), that is at least 75 percent of the width of the sign's face, based on the greatest horizontal dimension of the sign face. The sign base shall not be used for copy.

7. The sign incorporating the Electronic Changeable Message Sign sign panel shall be consistent with the architectural theme of the principal buildings proposed or developed on the parcel and shall be constructed of materials and colors which are similar to the materials and colors utilized in the principal buildings.

8. Additional sign copy is prohibited on the sign with the exception of the address and/or name and logo of the business, building, or property.

9. The Electronic Changeable Message Sign shall be incorporated into a mulched, and irrigated landscaped area extending four feet in all directions from the sign base and filled with a continuous hedge of plants or ornamental grasses, not exceeding three feet in height at maturity. Sodded or seeded areas shall not qualify as such landscaped area

10. Operational Limitations.

a. The Electronic Changeable Message Sign shall only contain static messages. Movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scrolling, traveling, or scintillating or varying of light intensity shall be prohibited.

b. The Electronic Changeable Message Sign shall not emit noise or use sound.

c. The Electronic Changeable Message Sign shall not have lighting that would resemble, compete with, or distract from traffic signal lighting.

d. Interactive signs are prohibited.

e. The hours of digital display operation shall be between 6:00 a.m. and 10:00 p.m. The digital display shall be turned off outside of these hours.

f. The electronic display of an Electronic Changeable Message Signs shall not change more frequently than twice during the period between 6:00 am. and 10:00 p.m.

g. The change of messages must be accomplished instantaneously; only static transitions shall be allowed. Messages changed by fade, dissolve, scrolling, traveling, or similar animated images that appear to move or change in size, lashing and video are prohibited.

h. The Electronic Changeable Message Sign shall be equipped with an automatic shut off or contain a default design to freeze the display in one position if a malfunction occurs.

i. The illumination of an Electronic Message Sign shall conform to the criteria below.

i. The illuminance of an Electronic Message Sign shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals. Illuminance shall be measured with the Electronic Message Sign off, and again with the Electronic Message Sign displaying a white image. All measurements shall be taken perpendicular to the face of the Electronic Message Sign at the distance determined by the total square footage of the Electronic Message Sign as set forth in the accompanying Sign Area Versus Measurement Distance table (below).

SIGN AREA VERSUS MEASUREMENT DISTANCE

AREA OF SIGN sq. ft.	MEASUREMENT Distance (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130
180	134
190	138
200	141
220	148
240	155
260	161
280	167
300	173

*\* For signs with an area in square feet other than those specifically listed in the table (i.e., 12 sq ft, 400 sq ft, etc), the measurement distance may be calculated with the following formula: Measurement Distance =  $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$*

ii. The difference between the off and white screen measurements shall not exceed 0.3 footcandles.

iii. All permitted Electronic Changeable Message Signs shall be equipped with a sensor that automatically determines the ambient illumination and that is programmed to automatically dim according to ambient light conditions to ensure compliance with the 0.3 footcandle limit in all light conditions.

iv. Prior to operational approval, the owner of the sign shall provide certification from the manufacturer that the brightness settings are pre-set to abide by the standards of this regulation.

j. Affidavit required. Prior to approval of the sign permit by the City, the property owner shall sign an affidavit attesting to understanding the requirements relating to Electronic Changeable Message Signs. The affidavit shall remain on file with the City Clerk.

k. The owner or operator of an Electronic Changeable Message Sign shall immediately turn off the display of any Electronic Changeable Message Sign upon receipt of notification from the City that the sign is not complying with the standards of this chapter and shall keep the Display turned off until the nonconformance is corrected.

**SECTION THREE. Severability.** If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

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

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

PASSED ON FIRST READING THIS 19<sup>th</sup> DAY OF JUNE, 2018.

JULY

PASSED AND ADOPTED THIS 17<sup>th</sup> DAY OF ~~JUNE~~, 2018.

CITY OF EDGEWOOD, FLORIDA  
CITY COUNCIL

  
\_\_\_\_\_  
John Dowless, Council President

ATTEST:

  
\_\_\_\_\_  
Bea Meeks, City Clerk