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CLERK OF COUNTY COMMISSIONERS
HERNANDO COUNTY FLORIDA

ORDINANCE NO.: 2010- 12

AN ORDINANCE TO AMEND PROVISIONS OF THE HERNANDO COUNTY CODE OF ORDINANCES RELATING TO ANIMATED SIGNS; AMENDING CODE SECTION 25.5-3 BY ADDING A DEFINITION FOR "ANIMATED SIGNS"; AMENDING CODE SECTION 25.5-7 BY ADDING ADDITIONAL PROVISIONS FOR ANIMATED SIGNS; LIMITING THE RATE (FREQUENCY) OF CHANGES TO SIGN FACE AND/OR MESSAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

SECTION 1. Section 25.5-3, Hernando County Code of Ordinances, is hereby amended to read as follows, with underlined matter added and struck-through matter deleted:

Sec. 25.5-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animated sign means any sign which includes action, motion, the optical illusion of action or motion or color changes of all or any part of the sign face, requiring electrical energy or set in motion by movement of the atmosphere or a sign made up of a series of sections that turn and stop to show two or more pictures or messages in the copy area. For purposes of this definition, Animated signs shall also include all electronic reader boards in which the message may be changed and shall include all signs which utilize, in whole or part, light emitting diodes (LED), liquid crystal displays (LCD), digital light processing (DLR), organic light emitting diodes (OLED), plasma or similar light transmitting gases, cathode ray tubes (CRT) or which produces a television-like picture. The Board of County Commissioners finds that Animated signs can present a distraction or hazard to moving traffic and shall be subject to additional requirements as contained in this chapter.

Banner. A sign backed by cloth, fabric, or similar material designed to be attached between or upon poles, posts, trees, fences, buildings or similar devices. Banner does not include flag as defined in this chapter.

Community service use. includes places of public assembly, schools, community centers, parks and other similar community service uses.

1 *Flag.* Any piece of cloth, fabric or similar material containing distinct colors, characters,
2 numbers, letters, illustrations, patterns or symbols mounted on a single vertical staff along one (1),
3 two (2) or three (3) edges.
4

5 *Lot or parcel.* any land in Hernando County separately classified according to a unitary
6 individual, corporate or collective ownership by the Hernando County Property Appraiser, for
7 purposes of tax assessment; or any platted lot or other identified tract within a recorded subdivision
8 (or unrecorded subdivision, if recognized by the property appraiser); but not including any public
9 road right-of-way or easement, or any rights-of-way or easements owned by public or quasi-public
10 utility providers and directly used for the provision of utility services.
11

12 *Portable sign.* Any sign not permanently attached to the ground or other permanent structure,
13 or a sign designed to be transported, but not including a vehicle sign as defined herein.
14

15 *Sandwich board signs.* Any sign, double or single faced, which is portable and may readily
16 be moved from place to place.
17

18 *Sign.* Any structure, display, device, painting, drawing, message, placard, poster, billboard
19 or notice bearing a name, direction, advertisement, statement or other message that is displayed or
20 posted for public view.
21

22 *Sign area.* The area of a sign shall be the area within the smallest square, rectangle,
23 parallelogram, trapezoid, triangle, circle or semicircle, the sides of which touch the extreme points
24 or edges of the sign face. Where a sign has two (2) display faces back to back, parallel to one
25 another, the area of only one (1) face shall be considered the sign area. For spheres and other three-
26 dimensional structures, the sign area will be the maximum two (2) dimensional area the sign
27 displaces.
28

29 *Sign face.* The surface of a structure either designed for, designated for or displaying sign
30 copy. No portion of the supporting structure shall extend past the sign face except for the structure
31 base which makes contact with the ground or unless the supporting structure is architecturally
32 compatible with the buildings located on site.
33

34 *Special event.* temporary events including such uses as carnivals, circuses, tent revivals,
35 festivals and other special events of a similar nature. Such special events must receive conditional
36 use permit approval pursuant to the zoning ordinance, or a special event permit through the county
37 or other applicable jurisdiction.
38

1 *Vehicle sign.* a sign painted on or affixed to a vehicle, as such term is defined in Chapter 316,
2 Florida Statutes, in such manner that the contours of the sign structure, if any, are coexistent with
3 the contours of the vehicle.

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5 (Ord. No. 2008-03, § 3, 2-5-08; Ord. No. 2010-__)

6
7 **SECTION 2.** Section 25.5-7, Hernando County Code of Ordinances, is hereby amended to read as
8 follows, with underlined matter added and struck-through matter deleted:

9
10 **Sec. 25.5-7. Obstruction to vision; Distraction or hazard to moving traffic.**

11
12 (a) The provisions of the Hernando County Land Development Regulations relating to
13 obstruction to vision shall apply to all signs except for pole supports which may occur within the
14 clear sight window provided that such supports do not exceed one (1) foot in diameter and provided
15 that no more than one (1) such pole support for any single sign shall encroach into the defined area.

16
17 (b) Additional provisions for Animated signs. Animated signs shall be allowed subject
18 the provisions of this chapter; however, Animated signs shall not change the sign face and/or
19 message more often (frequency rate) than once every fifteen (15) seconds or more often than four
20 times per minute. Any Animated sign which violates this provision, the owner of which shall be in
21 violation of this code and may be prosecuted as described in Chapter 2, Article III of this code, as
22 amended or renumbered from time to time. Any Animated sign which has been duly permitted prior
23 to the adoption of this ordinance shall be grand-fathered from this provision for so long as said sign
24 is not altered in size or configuration (excluding the sign face) or otherwise structurally modified.

25
26 (Ord. No. 2008-03, § 7, 2-5-08; Ord. No. 2010-__)

27
28 **SECTION 3. Severability.** It is declared to be the intent of the Board of County Commissioners
29 that if any section, subsection, clause, sentence, phrase, or provision of this ordinance is for any
30 reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the
31 remaining portions of this ordinance.

32
33 **SECTION 4. Inclusion in the Code.** It is the intention of the Board of County Commissioners of
34 Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall
35 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, any
36 section or subsection of this Ordinance may be renumbered or relettered to accomplish such
37 intention, and the word "ordinance" may be changed to "section, "article", or other appropriate
38 designation.

DOCUMENT: AmendSignOrd-051110.wpd Note: additions/deletions = language proposed for addition/deletion to existing Code provisions.

1 SECTION 5. Effective date. This ordinance shall take effect immediately upon filing with the
2 Secretary of State of Florida.
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6 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO
7 COUNTY in Regular Session this 25th day of May 2010.
8

9 BOARD OF COUNTY COMMISSIONERS
10 HERNANDO COUNTY, FLORIDA
11

12
13
14 Attest: *Karen Nicolai*

15 KAREN NICOLAI
16 Clerk

By: *John Druzbeck*

JOHN DRUZBECK
Chairman



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY *JD* 5/12/10
County Attorney's Office *67K*