



\$250.00 Sign Bond – (Refundable)

Received: \_\_\_\_\_

Date: \_\_\_\_\_

Received: Ordinance 1315

\_\_\_\_\_  
Candidate's signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Location of Signs

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING SECTION 6-114 "SIGNS" OF CHAPTER 6 OF THE CODE OF ORDINANCES, ENTITLED "ELECTIONS"; RELATING TO THE PERMITTED LOCATIONS OF POLITICAL SIGNS; ESTABLISHING THE TIME PERIOD FOR THE PLACEMENT OF POLITICAL CAMPAIGN SIGNS AND PENALTIES; AND PROVIDING FOR A PENALTY FOR UNAUTHORIZED REMOVAL OF POLITICAL SIGNS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, potential political candidates are placing campaign signs out earlier and earlier each election cycle to gain an advantage over other candidates; and

**WHEREAS**, the political signs are being placed in public right of ways and on public property; and

**WHEREAS**, with the re-write of the city's Land Development Regulations Section 29-7(i)(8) was deleted without providing clear direction on the appropriate and permitted location of political signs; and

**WHEREAS**, the Mayor and City Council have determined it is in the best interests of the residents of the city to avoid an unbridled pollution of political signs; and

**WHEREAS**, the Mayor and City Council desire to amend the Code of Ordinances to clearly establish where and when political campaign signs may be placed within the City of North Miami.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:**

**Section 1.** Section 6-114 "Signs" of Article VI "Unfair Campaign Practices" of Chapter 6 of the City Code of Ordinances, entitled "Elections" is amended to read as follows:

**Section 6-114. Signs.**

- (a) Political campaign signs shall be placed and removed in accordance with section 29-7(i)(8) of the zoning ordinance of the city, included in this volume as Appendix A. Except as it relates to special elections and recall elections, political campaign signs shall be placed no earlier than ninety (90) days before any

election date. All political signs must be removed within thirty (30) days after the election to which they pertain.

- (b) Political signs shall only be permitted on private property by the owner or lessee thereof, or with the written consent of the owner or lessee. At no time are political signs permitted to be posted on public property and/or public right of ways. However, nNo political signs may be posted within the city until the candidate posts, by check, a netwo-hundred and fifty-dollars cash bond. Such bond shall be refunded after the election at the candidate's request provided a city inspection verifies that all the candidate's signs have been removed. No permit or fee, however, shall be charged for political signs. Political signs placed in violation to the provisions of paragraphs a and b shall be subject to removal and/or civil penalties as set forth in Section 2-110 of this Code of Ordnances.
- (c) It shall be unlawful for anyone other than the candidate or political committee to alter, destroy, or remove a political sign of a candidate or political committee, other than its removal by a city, county or state employee enforcing a state law or ordinance of the city or county, unless authorized by the candidate or his/her designee. Any person violating this provision shall be subject to arrest for criminal mischief pursuant to Florida Statute 806.13.

\* \* \* \* \*

**Section 2. Repeal.** All ordinances or parts of ordinances in conflict herewith are repealed.

**Section 3. Conflicts.** In the event that the provisions of this Ordinance are in conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall prevail.

**Section 4. Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 5. Codification.** It is the intention of the City Council of the City of North Miami and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

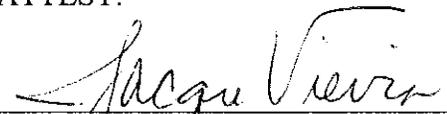
**Section 6. Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

**PASSED AND ADOPTED** by 5-0 vote of the Mayor and City Council of the City of North Miami, Florida on first reading this 22 day of February, 2011.

**PASSED AND ADOPTED** by 5-0 vote of the Mayor and City Council of the City of North Miami, Florida on second reading this 8 day of March, 2011.

  
\_\_\_\_\_  
ANDRE D. PIERRE, ESQ.  
MAYOR

ATTEST:

  
\_\_\_\_\_  
JACQIE VIEIRA  
ACTING CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
V. LYNN WHITFIELD  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Vice Mayor Blynn

Seconded by: Councilman Galvin

**Vote:**

Mayor Andre D. Pierre, Esq.	<u>X</u>	(Yes)	_____	(No)
Vice Mayor Michael R. Blynn, Esq.	<u>X</u>	(Yes)	_____	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	_____	(No)
Councilman Jean R. Marcellus	<u>X</u>	(Yes)	_____	(No)
Councilwoman Marie Erlande Steril	<u>X</u>	(Yes)	_____	(No)

Additions shown by underlinings. Deletions shown by ~~overstriking~~.