THE SUNRISE CITY
FORT PIERCE
CODE ENFORCEMENT
Florida

TO : The Honorable Mayor and City Commissioners

THROUGH : Nicholas Mimms, City Manager

FROM : Peggy Arraiz, Code Compliance Manager

SUBJECT : Chapter 15 – Signs & Billboards Proposed Amendments

DATE : November 29, 2016

On June 18, 2015 the Supreme Court of the United States issued a decision on Reed v Town of Gilbert that has directly impacted our ordinance (and every jurisdiction's ordinances) regulating signs. City Attorney Messer has met with other municipal attorneys and has attended a seminar in which this topic was discussed in detail and has provided staff guidance on drafting the proposed amendments.

In summary, the Supreme Court's decision states that signs cannot be regulated based upon their content. This means that you cannot have one set of rules for political signs, another set of rules for For Sale signs and another set of rules for commercial signs. These are rules that are based on the message the sign gives and is no longer constitutional.

However, regulations can still be enforced as long as they are content neutral and do not favor one type of signage over another. The City can still regulate the size and placement of signs as well as place more stringent and specific bans on types of signs as long as it is uniformly enforced. For example, the City has always had a ban on roof top signs. We can continue this ban as long as it is enforced for everyone and no exceptions are granted.

The proposed amendments to Chapter 15 are significant and substantially changes the way we have enforced sign regulations in the past. While there may be a short educational period for the public, the changes are actually in their favor with fewer restrictions than in the past.