

**ORDINANCE NUMBER 60-01-11**

**AN ORDINANCE OF THE CITY OF ATLANTIC BEACH,  
COUNTY OF DUVAL, STATE OF FLORIDA, AMENDING  
CHAPTER 17, SIGNS AND ADVERTISING STRUCTURES,  
ARTICLE I, SECTION 17-17 TO PROVIDE FOR THE  
TREATMENT OF NON-CONFORMING SIGNS; PROVIDING FOR  
RECORDATION AND PROVIDING AN EFFECTIVE DATE.**

**NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION ON BEHALF OF  
THE PEOPLE OF THE CITY OF ATLANTIC BEACH, FLORIDA:**

**SECTION 1.** Chapter 17, Article I., Section 17-17 of the Code of Ordinances for the City of Atlantic Beach, Florida is hereby amended, and upon enactment shall read as follows.

**Sec. 17-17. Nonconforming Signs.**

All Signs, which were lawfully in existence, and constructed or installed with properly issued Sign Permits as of July 14, 1997, and which are made nonconforming by the provisions herein shall be allowed to remain in accordance with the following conditions:

(a) Pole Signs or freestanding Signs that are not in compliance with Section 17-12 with respect to the minimum required distance of five (5) feet from any property lines shall be allowed to remain in their existing location provided that no portion of the Sign is located within any publicly owned right-of-way or utility easement and that no interference with clear sight distance exists, and further provided that such Signs are otherwise in compliance with the terms of this Section.

(b) Pole Signs or freestanding Signs that are not in compliance with the terms of Section 17-2(b)(6) with respect to maximum height or size shall be allowed to remain, provided that such Signs are otherwise in compliance with the terms of this Section.

(c) Nonconforming Signs, including those as described in preceding paragraphs (a) and (b) shall be made conforming with all provisions of this Chapter when any of the following changes are made:

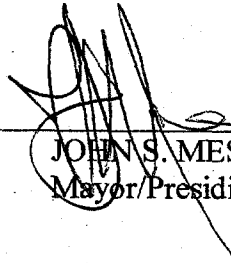
- i. Any change to the structural supports or structural materials;
- ii. Any change which increases the illumination;
- iii. Any change which increases the height of a Sign;
- iv. Any change which alters the material used for the display or face area by more than twenty-five (25) percent;
- v. Any replacement required as the result of an accidental act or a weather related act.
- vi. Any replacement where a Sign has been abandoned or unused for a period longer than three (3) months.

(d) The provisions of this Section shall not be construed to apply to Signs which are deteriorated, dilapidated, or in a general state of disrepair. Such Signs shall be subject to the provisions of Section 17-1.

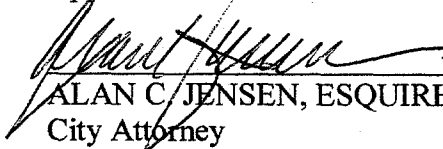
**SECTION 2.** This Ordinance shall take effect immediately upon its final passage and adoption AND shall be recorded in a book kept and maintained by the Clerk of the City of Atlantic Beach, Duval County, Florida, in accordance with Section 125.68, Florida Statutes.

Passed on first reading by the City Commission of the City of Atlantic Beach this 26<sup>th</sup> day of November, 2001.

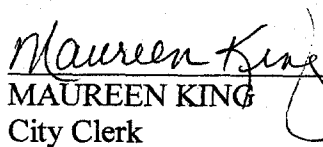
Passed on final reading and public hearing this 10<sup>th</sup> day of December, 2001.

  
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JOHN S. MESERVE  
Mayor/Presiding Officer

Approved as to form and correctness:

  
\_\_\_\_\_  
ALAN C. JENSEN, ESQUIRE  
City Attorney

ATTEST :

  
\_\_\_\_\_  
MAUREEN KING  
City Clerk

EFFECTIVE DATE: December 10, 2001