Introduced by Council Members Becton, Bowman, Boylan, Carlucci,
 Carrico, Clark-Murray, Cumber, DeFoor, Diamond, Ferraro, Freeman,
 Gaffney, Jr., Howland, Morgan, Newby, Pittman, Salem and White and
 twice amended on the Floor of Council:

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## ORDINANCE 2023-44-E

8 AN ORDINANCE AMENDING CHAPTER 656 (ZONING CODE), 9 PART 13 (SIGN REGULATIONS), SUBPART A (GENERAL 10 PROVISIONS), SECTION 656.1309 (UNLAWFUL SIGN 11 MESSAGES), ORDINANCE CODE, TO PROHIBIT 12 UNAUTHORIZED SIGNS THAT ARE PROJECTED ONTO 13 BUILDINGS, STRUCTURES OR OTHER PLACES; WAIVING 14 THE PROVISIONS OF SECTION 656.129 (ADVISORY 15 RECOMMENDATION ON AMENDMENT TO ZONING CODE OR 16 REZONING OF LAND), SUBPART C (PROCEDURES FOR 17 REZONING AND AMENDMENTS TO THE ZONING CODE), 18 PART 1 (GENERAL PROVISIONS), CHAPTER 656 (ZONING 19 CODE), ORDINANCE CODE, REQUIRING THE PLANNING 20 AND DEVELOPMENT DEPARTMENT AND THE PLANNING 21 COMMISSION TO REVIEW AND PROVIDE ADVISORY 22 RECOMMENDATIONS TO THE CITY COUNCIL REGARDING 23 THIS LEGISLATION; PROVIDING CODIFICATION 24 INSTRUCTIONS; REQUESTING EMERGENCY PASSAGE UPON 25 INTRODUCTION; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Council of the City of Jacksonville:
Section 1. Amending Chapter 656 (Zoning Code), Part 13
(Sign Regulations), Subpart A (General Provisions), Section 656.1309
(Unlawful sign messages), Ordinance Code. Chapter 656 (Zoning Code),
Part 13 (Sign Regulations), Subpart A (General Provisions), Section

1	656.1309 (Unlawful sign messages), Ordinance Code, is hereby amended
2	to read as follows:
3	CHAPTER 656
4	* * *
5	PART 13 SIGN REGULATIONS
6	SUBPART A GENERAL PROVISIONS
7	* * *
8	Sec. 656.1309. <u>Unlawful signs.<del>Unlawful sign messages.</del></u>
9	(a) Projections of light, laser beams or any other medium
10	to form text, graphics, logos, or artwork upon streets,
11	walkways, fences, sign structures, land or water
12	surfaces, or exterior walls or other exterior portions
13	of buildings or any other structure are prohibited,
14	except that an owner may project a sign onto an exterior
15	portion of his or her own property, building or structure
16	if the area occupied by such sign does not otherwise
17	violate applicable sign regulations included in this
18	Part. The person or business who owns or is advertised
19	or identified on the sign shall be presumed to have
20	permitted the placement of the sign in the absence of
21	credible evidence to the contrary and may be cited for
22	violation of this subsection by either the City's
23	Municipal Code Compliance Division or the Jacksonville
24	Sheriff's Office, and the person or business installing
25	or projecting the sign is also in violation of this
26	subsection. Violations of this subsection shall
27	constitute a class D offense; however, projections of
28	text, graphics, logos, or artwork onto a building,
29	structure or any other place (including public spaces)
30	without the consent of the owner or person in control
31	of the building, structure or space shall constitute
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Twice Amended 1/24/23

1 blight and graffiti, and pursuant to Sections 806.13 and 2 125.69, Florida Statutes, these violations shall 3 constitute a second degree misdemeanor punishable by a 4 definite term of imprisonment of up to 60 days 5 (discretionary) and a fine not less than \$2000 (nondiscretionary), and any equipment or vehicles used in 6 7 furtherance of this crime shall be seized by the Jacksonville Sheriff's Office and forfeited to 8 the 9 City.Reserved.

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11 Section 2. Waiver of Section 656.129, Ordinance Code, 12 Section 656.129 Authorized. The provisions of (Advisory 13 recommendation on amendment to Zoning Code or rezoning of land), 14 Subpart C (Procedures for Rezoning and Amendments to the Zoning Code), Part 1 (General Provisions), Chapter 656 (Zoning Code), Ordinance 15 16 Code, requiring the Planning and Development Department and the 17 Planning Commission to review and make advisory recommendations to 18 the City Council on amendments to the Zoning Code are hereby waived for the purposes of this legislation. There is an immediate need to 19 20 implement the revisions to the Zoning Code outlined herein to prevent 21 any further displays of signage depicting personal or private messages 22 or opinions without the consent of affected property owners. It is 23 the Council's express intent that the provisions of this Ordinance 24 be immediately enforceable by the City's Municipal Code Compliance 25 Division and the Jacksonville Sheriff's Office for this reason and 26 for the reasons outlined below.

27 Section 3. Codification Instructions. The Codifier and the 28 Office of General Counsel are authorized to make all chapter and 29 division "table of contents" consistent with the changes set forth 30 herein. Such editorial changes and any other necessary changes to 31 make the Ordinance Code consistent with the intent of this legislation

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are approved and directed herein, and the changes to the Ordinance
 Code shall be made forthwith and when inconsistencies are discovered.

3 Section 4. Requesting Emergency Passage Upon Introduction 4 Pursuant to Council Rule 4.901 Emergency. Emergency passage upon 5 introduction of this legislation is requested. The nature of the 6 emergency is that publicly and privately owned lands, buildings and 7 structures are not appropriate venues for installation or display of signage depicting personal or private messages or opinions without 8 9 the consent of the property owner. Such illegal projections have 10 recently been frequently used to publish the personal messages of the 11 projecting individual and contrary to the objections of the owners 12 of the spaces used to display such personal messages. To ensure the 13 types of displays prohibited by this new Code provision can be 14 immediately enforced by the City's Municipal Code Compliance Division 15 and the Jacksonville Sheriff's Office, emergency passage upon introduction of this legislation is necessary. 16

Section 5. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

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21 Form Approved:

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/s/ Mary E. Staffopoulos

24 Office of General Counsel

25 Legislation prepared by: Mary E. Staffopoulos

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