ORDINANCE NO. 2026-517

AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING ARTICLE X. (SIGNS) OF THE LAND DEVELOPMENT REGULATIONS RELATED TO GOVERNMENT SIGNS IN ZONING DISTRICTS PUBLIC BUILDINGS AND GROUNDS (PB) AND PUBLIC RECREATION (PR); SPECIFICALLY AMENDING SECTION 101-130 (PURPOSE AND DEFINITIONS) TO PROVIDE FOR A NEW DEFINITION OF GOVERNMENT SIGNS, AMENDING SECTION 101-131 (PROHIBITED SIGNS) TO REMOVE PROHIBITIONS ON GOVERNMENT SIGNS, AND AMENDING SECTION 101-133 TO EXEMPT GOVERNMENT SIGNS IN ZONING DISTRICTS PUBLIC BUILDINGS AND GROUNDS (PB) AND PUBLIC RECREATION (PR); PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION IN THE LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach, Florida (the "City"), is a Florida Municipal Corporation with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Chapter 166, Florida Statutes, grants the City broad municipal home rule powers to enact ordinances which represent official legislative action of the City Commission and are enforceable as a matter of law; and

WHEREAS, the City Commission of the City of Key Colony Beach, Florida (the "City Commission") determined the need to amend the Land Development Regulations as relating to government signs within zoning districts PB and PR; and

WHEREAS, the City Commission desires to specifically amend Article X, Sections 101-130, 101-131, and 101-133 of the City's Land Development Regulations in order to define and regulate government signs within zoning districts PB and PR; and

WHEREAS, the City Commission finds and declares that the adoption of this Ordinance is appropriate, and in the public interest of this community.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, AS FOLLOWS:

~~Strikethrough~~ = deletion **Bold underline** = addition

Section 1: Recitals

The above recitals are true and correct, and incorporated herein.

Section 2: Amending Section 101-130 of the Land Development Regulations

Section 101-130 (Purpose and definitions.) of Article X. (Signs) of the Land Development Regulations of the City of Key Colony Beach, Florida, is hereby amended as follows:

Sec. 101-130. – Purpose and definitions.

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Flag: A piece of light-weight, flexible material such as cloth or plastic with one (1) side attached to a pole and the other end flying freely.

Government sign: **A temporary or permanent sign erected by or on the order of: (1) the City; (2) an authorized City public official; or (3) a quasi-public entity at the federal, state or local government level in the performance of any duty.**

Ground or monument sign: Any freestanding solid monument structure containing a sign face which is supported solely by its own ground-mounted base and which is not attached or affixed in any way to a building or other structure.

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Section 2: Amending Section 101-131 of the Land Development Regulations

Section 101-131 (Prohibited signs.) of Article X. (Signs) of the Land Development Regulations of the City of Key Colony Beach, Florida, is hereby amended as follows:

Sec. 101-131. – Prohibited signs.

Excluding government signs in zoning districts PB and PR, the ~~The~~ following signs are prohibited anywhere in the city:

(1) Abandoned signs.

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Section 3: Amending Section 101-133 of the Land Development Regulations

Section 101-133 (Public interest or exempt signs.) of Article X. (Signs) of the Land Development Regulations of the City of Key Colony Beach, Florida, is hereby amended as follows:

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(8) Memorial signs including but not limited to names of buildings or individuals when made of bronze or other durable materials or when cut into any masonry surface provided the signs do not exceed four (4) square feet per sign face.

(9) Government signs with commission approval in zoning districts PB and PR are expressly exempt from the requirements of Article X.

Section 4: Severability and Conflict

If any portion of this Ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this Ordinance. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: Inclusion in the Land Development Regulations

The provisions of this Ordinance shall be included and incorporated into the Land Development Regulations of the City of Key Colony Beach, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the code.

Section 6: Effective Date

This Ordinance shall become effective upon its final adoption by the City Commission of the City of Key Colony Beach, Florida.

-[Remainder of Page Left Intentionally Blank]-

FIRST READING by the City of Key Colony Beach, Florida, City Commission this 22nd day of October, 2026.

Mayor Freddie Foster	NO_____YES___x____
Vice-Mayor Doug Colonell	NO_____YES___x____
Commissioner Tom Harding	NO_____YES___x____
Commissioner Tom DiFransico	NO_____YES___x____
Commissioner Kirk Diehl	NO_____YES___x____

SECOND READING AND DULY ADOPTED by the City of Key Colony Beach, Florida, City Commission on this 19th day of November, 2026.

Mayor Freddie Foster	NO_____YES_____
Vice-Mayor Doug Colonell	NO_____YES_____
Commissioner Tom Harding	NO_____YES_____
Commissioner Tom DiFransico	NO_____YES_____
Commissioner Kirk Diehl	NO_____YES_____

DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, this 19th day of November, 2026.

_____
Freddie Foster
Mayor

_____
Silvia Roussin, City Clerk

Approved as to form and legal sufficiency:

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Dirk M. Smits, Esq. B.C.S., City Attorney