

ORDINANCE NO. _____
0-07-92

An Ordinance of the City of Gainesville, Florida, readopting and ratifying Ordinance No. 070026, and extending the time period of the temporary moratorium on the issuance of any permit, development order, site plan approval and any other official action of the City of Gainesville having the effect of permitting or allowing the construction, operation or erection of an electronic sign or an animated sign, as more specifically described in this Ordinance, excluding approvals and permits for the maintenance of an existing electronic sign or animated sign; the temporary moratorium shall apply to all real property located within the corporate limits of the City of Gainesville; providing a procedure for extraordinary hardship; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, on June 11, 2007, the Gainesville City Commission adopted Ordinance No. 070026 imposing a temporary moratorium (hereinafter "moratorium") on the issuance of any permit, development order, site plan approval and any other official action of the City of Gainesville having the effect of permitting or allowing the construction, operation or erection of an electronic sign or an animated sign, as more specifically described in Ordinance No. 070026, excluding approvals and permits for the maintenance of an existing electronic sign or animated sign, located within the corporate limits of the City of Gainesville; and

WHEREAS, in the interim period, the City has commenced the study and review of electronic signs and animated signs and has held numerous public and private meetings, but has been unable to complete the process of review, study and the adoption of amendatory ordinances; and

WHEREAS, an additional period of time is necessary to complete the study on the potential impact of permitting or prohibiting the construction, operation or erection of an

D R A F T

10/1/2007

1 electronic sign or an animated sign, and needs additional time to adopt any amendatory
2 ordinances, as may be deemed necessary; and

3 **WHEREAS**, the City Commission finds that it is essential to protect and preserve the
4 aesthetics, the environment and the public health, welfare and safety of the City and its citizenry,
5 that it is in the City's best interest, and that it is consistent with the Comprehensive Plan for the
6 City to extend the term of the moratorium for an additional period of 175 days; and

7 **WHEREAS**, the City Commission readopts the findings in Ordinance No. 070026 in
8 support of this additional 175 day extension of the moratorium; and

9 **WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10 inches
10 long was placed in a newspaper of general circulation notifying the public of this proposed ordinance
11 and of the Public Hearing to be held in the City Commission Meeting Room, First Floor, City Hall, in
12 the City of Gainesville at least seven (7) days after the day the first advertisement was published; and

13 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was
14 placed in the aforesaid newspaper notifying the public of the second Public Hearing to be held at the
15 adoption stage at least five (5) days after the day the second advertisement was published; and

16 **WHEREAS**, public hearings were held pursuant to the published notices described above
17 at which hearings the parties in interest and all others had an opportunity to be and were, in fact,
18 heard.

19 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
20 **CITY OF GAINESVILLE, FLORIDA:**

D R A F T

10/1/2007

1 **Section 1.** Readoption and ratification. The City Commission readopts and reaffirms
2 Ordinance No. 070026, and adopts the foregoing findings provided in the Whereas clauses
3 above.

4 **Section 2.** Imposition of an Additional Time Period of the Temporary Moratorium.
5 The time period of the temporary moratorium, as provided in Section 4 of Ordinance No.
6 070026, is extended for an additional period of 175 days and ending either at 11:59p.m. on April
7 14, 2008, or the date of the final adoption of ordinance(s) amending the City of Gainesville Code
8 of Ordinances, including the Land Development Code, relating to the regulation of electronic
9 signs and animated signs, whichever date occurs sooner.

10 **Section 3.** Except as modified and amended, the provisions and terms of Ordinance No.
11 070026 shall remain in full force and effect.

12 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance
13 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
14 finding shall not affect the other provisions or applications of the ordinance which can be given
15 effect without the invalid or unconstitutional provisions or application, and to this end the
16 provisions of this ordinance are declared severable.

17 **Section 5.** This ordinance shall stand repealed as of 12:01 a.m. on Tuesday, April 15,
18 2008, unless sooner repealed.

DRAFT

10/1/2007

1 **Section 6.** This ordinance shall become effective immediately upon final adoption.

2 **PASSED AND ADOPTED** this _____ day of _____, 2007.

3
4
5
6
7
8

By: _____
Pegeen Hanrahan, Mayor

9 ATTEST: APPROVED AS TO FORM AND LEGALITY

10
11
12
13

14 _____
Kurt Lannon, Clerk of the Commission Marion J. Radson, City Attorney

15
16

17 This ordinance passed on first reading this _____ day of _____, 2007

18

19 This ordinance passed on second reading this _____ day of _____, 2007.

20
21

H:\Marion Radson\Moratorium\Electronic Signs Moratorium Ord Extension.doc