OFFICE OF THE SUPERVISOR OF ELECTIONS

JERRY HOLLAND
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M E M O R A N D U M

DATE: July, 2012

TO: Candidates, Campaign Treasurers & Political Consultants

FROM: Jerry Holland, Supervisor of Elections

RE: Political Signage -Updated

This packet contains the materials pertinent to the posting of campaign signs in Duval County. Please carefully read the ordinance and accompanying memos and guidelines. The candidate is ultimately responsible for improperly posted signs. The elections office does not enforce the sign ordinances; it our goal to educate and inform the public and the candidates of the laws that pertain to political signage.

Please sign and date the confirmation of your receipt of the materials and return it to this office no later than 7/20. Your cooperation is greatly appreciated!

If you have concerns relating to compliance, please contact the Municipal Code Compliance Division at 255-7000.

The materials included in this packet are:

Chapter 656, Zoning Code, Part 13, Sign regulations
Section 601.105 "Political Signs on Public Property"
Section 326.102-105
Political Sign Guidelines
Memos from Kimberly Scott, Chief, Municipal Compliance Division
Florida Department of Transportation memo/brochure/contractor email-contacts
Chapter 609 Code Enforcement

CANDIDATE'S CONFIRMATION OF RECEIPT OF POLITICAL SIGNAGE MATERIALS

I,_____, candidate for _____, have received, read, and understand the following documents as they pertain to the proper use of political signage during the 2012 election cycle. Furthermore, I have informed my campaign workers of the ordinances and laws regarding political signs.

I have reviewed the following documents and will observe the ordinances contained therin:

1) Memorandum from Supervisor of Elections
2) Memorandum from Kim Scott
3) Notice from Florida Department of Transportation
4) Email from Paul Crist, FDOT
5) FDOT Brochure
6) Political Sign Guidelines
7) Chapter 601.105 "Political Signs; Prohibited on Public Property"
8) Chapter 656.1301-1314 "Zoning Code. Sign Regulations"
9) Chapter 326.102 – 326.105 "Construction Regulations & Building Codes"
10) Chapter 609 "Sign Violation Fines/Code Enforcement Citations"

I understand that the City of Jacksonville, Department of Neighborhoods, Municipal Code Compliance Division can fine my campaign up to $250.00 per sign, per day.

Candidate Name Printed_____Date_____

Candidate Signature_____

Please return signed copy to:
Jerry Holland, Supervisor of Elections
105 East Monroe Street
Jacksonville, FL 32202

March 13, 2012

TO: Political Candidates

FROM: Kimberly Scott, M.P.A., Chief
Municipal Code Compliance Division

SUBJ: Political Signs

The purpose of this memorandum is to ensure you are aware political signs or advertisements are prohibited on public property. The primary area where this problem exists is in street rights-of-way. In some instances, campaign volunteers place or erect political signs with the intention of assisting candidates; as a result, Municipal Code Compliance Division must respond to complaints, regarding signage proliferation in prohibited areas, and Solid Waste Division must assign city litter crews to remove and dispose of signs placed on public rights-of-way.

Rights-of-way boundaries are not easily defined. To simplify the process, although not exact in some instances, we have established the following physical guidelines:

1) Behind utility poles (private property/building side): Power poles are usually placed along boundaries between private and public properties;
2) Behind sidewalks (private property/building side);
3) Behind drainage ditch or other utilities, such as telephone or cable boxes (private property/ building side): if the location does not contain sidewalks or utility poles, place signs behind drainage ditches or other provided utility boxes;
4) Behind fence lines (private property/building side)

TEMPORARY ELECTION SIGNS

Per Ordinance 2010-253, a temporary election sign means a temporary non-illuminated sign, not in excess of four (4) square feet in size (area) per side and the top of the sign is not more than six (6) feet off the ground, that functions to communicate support for or opposition to a candidate or stating a position regarding a ballot issue upon which the voters of the City shall vote. In a commercial zoning district, the maximum size (area) per side of a temporary non-illuminated election sign may be increased from four (4) square feet to sixteen (16) square feet. (Reference JOC 656.1302 [dd])

One temporary election sign for each candidate and each ballot issue may be displayed on a private lot. An election sign may be displayed as an attached sign or as a free-standing sign. If displayed as a free-

standing sign, the sign shall be set back from the right-of-way not less than ten (10) feet. ***A temporary election sign shall be removed within seven (7) calendar days following the election to which it pertains.*** (Reference JOC 656.1314)

We appreciate your cooperation with adhering to local ordinance provisions. If I may be of further assistance, please contact me at (904) 255-7000.

POLITICAL SIGNS

Guidelines

State and local laws regulate the usage and placement of political signs.

- Political signs may be placed/erected only on private property and with the permission of the property owner
- It is unlawful to place political signs on public property. This includes:
  - Roads
  - Right of way (ROW) – Defined as:
    - Road shoulders
    - Sidewalks
    - Swales
    - Property adjacent to road containing utilities
  - Utility poles
  - Public parking
  - Parks
  - Government buildings
  - Any non-private property (Section 106.1435(3), F.S.)
- Political signs can be double faced as long as the faces are parallel (Sec. 656.1302, Ord. Code)
- Signs are limited to one sign per candidate and one sign for the same side of an issue on the same property
- Political sign sizes are limited as follows:
  - Residential Property – 4 sq. ft. (2 X 2) (Sec. 656.1302, Ord. Code)
  - All other zoning districts – 16 sq. ft. (4 X 4) (Sec. 656.1302, Ord. Code)
- Political sign heights:
  - Residential Property – Sign is not more than six (6) feet off the ground
  - All other zoning districts – Sign is not more than six (6) feet off the ground
- Political sign placement:
  - An election sign may be displayed as an attached sign or freestanding. If freestanding, it must be set back from the Right of Way (ROW) not less than 10 feet.
- Signs placed on ROW may be removed by the appropriate department of the city or any other person (Sec. 601.105, Ord. Code)
- Candidate must remove all campaign signs within seven (7) days after the election to which it pertains. (Sec. 656.1314)

(2012)

City of Jacksonville Ordinance Code

Sec. 601.105. - Political signs; prohibited on public property.

(a)

It shall be unlawful and a class A offense for any person to erect, place or install a political sign or advertisement on public property.

(b)

All signs which do not conform with the provisions of this Section shall be removed by the appropriate department of the City, as designated by the Mayor. In addition and notwithstanding any other provisions of this Section, any such political sign or advertisement placed on any roadway in violation of this Section is hereby declared to be abandoned property and is thereby subject to being removed by any person, so long as such removal is accomplished in a safe and peaceful manner. Nothing herein shall be construed to permit any person who removes such abandoned property to do so in a manner that endangers any person, property or the safety of any other person traveling on such roadway.

(Ord. 74-1032-602, § 1; Ord. 83-591-400, § 1; Ord. 7-1375-888, § 1)

Title VII – Construction regulations & Building Codes Chapter 326 –signs and outdoor display structures. Part 1 General regulations.

NOTE: Please see Sec. 326.104, (b) unlawful sign structures.

Sec. 326.102. - Definitions.

For the purposes of this chapter, the following terms and words shall have the following meanings:

(a)

Animated sign means a sign with motion, action or flashing or other light or color changes which is activated by mechanical, electrical or other non-natural means. However, this term does not include changing message devices or wind-activated elements such as flags, pennants, or banner signs.

(b)

Banner sign means a sign made of canvas or other approved flexible materials with or without a structural frame and attached to a building, canopy, pole or other structure.

(c)

Changing message device means any device visible from a public right-of-way or approved private street across the face of which a verbal message moves or appears to move, or which contains a verbal message which otherwise changes electrically or mechanically more than once in any three minutes.

(d)

Construction sign means a temporary sign erected or placed on premises on which construction is taking place during the period of such construction indicating the names of owners, architects, engineers, landscape architects, contractors, artisans, financial supporters, or others having a role or interest with respect to the structure or project.

(e)

Directional or *directing sign* means an on-premise incidental sign designed to guide or direct pedestrian or vehicular traffic for information only. Such signs shall not contain any form of advertisement, except for identifying logos, and shall not be included in calculating the maximum area or the number of signs under this chapter or Chapters 320 and 656.

(f)

Double-faced sign means a sign with two surfaces against, upon or through which a message is displayed. A double-faced sign shall have both surfaces parallel to each other and must be constructed, tied or otherwise fastened together into an integral unit with no visible air space between the surfaces.

(g)

Eaves means the lowest horizontal line of a sloping roof.

(h)

Free standing sign or *ground sign* means a sign which is supported by one or more poles, pylons, columns, uprights or braces in or upon the ground and is not attached to a building or structure.

(i)

Illuminated sign means a sign in which internal or indirect continuous lighting is maintained by one or more lights in a stationary condition which remain constant in intensity and color at all times when such sign is illuminated.

(j)

Indirect lighting means the illumination of a sign by a light source that is not a component part of the sign.

(k)

Mobile sign means any sign not exceeding a maximum of thirty-two square feet in area for each display face, not exceeding ten feet in height to the top thereof above the surrounding ground level and specifically designed to be of a temporary nature and capable of being transported to various locations. The subject matter of the sign shall be exclusively related in its content to the use of the lot on which it is located or to offices, products, accommodations, services available or activities sold, produced, available or conducted on the lot on which the sign is located. Mobile signs shall not be animated, flashing or revolving, but may be illuminated.

(l)

Occupancy frontage means the length of that portion of a building occupied by a single office, business or enterprise abutting a street, alley, parking area, or other means of customer access such as an arcade, mall, or walkway.

(m)

Off-site sign means any combination of structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, advertising structure, advertising logos, symbol or other form, whether placed individually on or a V-type, back-to-back, side-to-side, stacked or double-faced display, designed, intended or used to advertise or inform, any part of the advertising message or informative contents of which is visible from any place on the main or traveled way and which sign relates in its subject matter to offices, products, accommodations, services or activities which are sold, produced, available, conducted or rendered at locations other than on the premises where the sign is located. The term does not include an official traffic control sign, official marker, specific information panel erected, or other form of public information caused to be erected or approved by any government upon its property or right-of-way.

(n)

On-site sign means any sign which advertisement is exclusively related in its subject matter to the use of the premises on which it is located or to offices, products, accommodations, services or activities sold, produced, provided, available or conducted on the premises where the sign is located.

(o)

Projecting sign means a sign which is erected or supported on the wall of a building or other structure and projects from it. Signs which extend into or over public space or street rights-of-way, including roof signs, shall be considered as projecting signs.

(p)

Real estate sign means a temporary sign advertising the real estate upon which the sign is located as being for sale or rent.

(q)

Roof line means the highest continuous horizontal line of a roof. On a sloping roof, the roof line is the principal ridge line, or the highest line common to the principal slope or slopes of the roof. On a flat roof, the roof line is the highest continuous line of the roof or parapet, whichever is higher.

(r)

Roof sign means a sign erected, constructed or maintained on the roof of a building or structure above the eaves, or above mansards, parapets, or other similar architectural features of buildings or structures which are capable of supporting signs.

(s)

Sign means any structure or device which is placed, erected, constructed or maintained on or in the ground or outside of an enclosed building or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of display, information, advertisement or attraction of the attention of persons, including posters, pictures, pictorial or reading matter and a letter,

word, model, device or representation used in the nature of an advertisement, announcement, attraction or direction.

(t)

Sign area computation means the method by which the area of each surface of a sign is computed. For signs with fixed boundaries, frames or edges, it shall be computed by calculating the area within and including the exterior boundaries, frames or edges enclosing the letters or graphic matter which composes each sign surface. For signs with no fixed boundaries, frames or edges, such as where a sign is composed of separate letters which are placed or painted upon or against a building or upon or through a window or other similar surface not designed, framed or edged specifically for sign presentation, the sign area shall be computed on the basis of the smallest regular geometric shape, such as a triangle, rectangle, square or circle encompassing the outermost exteriors of the outermost individual letters, words or numbers which yields the least total square footage of area. Computation of sign area shall include border trim.

(u)

Street frontage means the property line of a lot abutting the right-of-way line of public or approved private streets, excluding alleys to which such property has the legal right of access.

(v)

Temporary embellishment means an embellishment placed on the facing of a sign for a period not to exceed six months.

(w)

Under canopy sign means a sign suspended beneath a canopy, ceiling, roof or marquee.

(x)

Wall sign means a sign attached to and parallel with a wall, including signs printed or painted on walls.

(y)

Awning sign means an awning with lettering placed on the canvas, or other approved flexible material, with a structural frame that is attached to a building. The awning sign shall not be placed above the roof elevation of a single story building or above the second floor of a multi-story building. An awning sign shall not be wind activated, or inflatable, such as a balloon.

(Ord. 71-342-174; Ord. 71-700-400, § 3; Ord. 72-1206-631, § 2; Ord. 77-315-634, § 1; Ord. 83-591-400, § 1; Ord. 83-1249-615, § 1; Ord. 85-1201-663, § 6; Ord. 86-1523-871, § 2; Ord. 92-1768-1444, § 3)

Note—Former § 900-1600.2; § 334.102.

Sec. 326.103. - Exemptions.

This chapter shall not apply to the following signs:

(a)

Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises or other identification of premises not having commercial connotations.

(b)

Legal notices or identification, informational or directional signs erected or required by governmental bodies.

(c)

Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.

(d)

On-premises incidental directional or directing signs designated to guide or direct pedestrian or vehicular traffic for information only, which shall not contain

any form of advertisement, provided such signs do not exceed two square feet in size.

(e)

Signs which do not exceed four square feet.

(f)

Signs erected pursuant to sections 656.1306 and 656.1307.

(g)

Poster signs erected behind glass windows or signs painted on glass windows.

(h)

Signs painted or attached to trucks or other vehicles for identification purposes.

(i)

Signs posted on electric poles or light standards maintained by the JEA and advertising events in publicly-owned facilities or holiday decorations, the posting of which on the poles is approved by Council resolution; provided, that the construction and installation of the signs or decorations has been approved by the Managing Director of the JEA.

(j)

Historical markers erected by duly authorized public authorities.

(k)

Signs erected upon property warning the public against hunting, fishing or trespassing thereon; provided, that no such sign shall exceed two square feet in area.

(l)

Signs being fabricated, manufactured or constructed off the site on which they are to be located.

(m)

Signs located on property owned or leased by a federal, or state or local government or signs used in connection with any event sponsored or authorized by a federal, state or local governmental entity.

(n)

Signs located on machinery or equipment which advertise products sold therein.

(o)

Signs erected at athletic fields at schools and amateur athletic association fields (whether on public or private property) to recognize sponsors providing contributions of money, goods or services to the school or amateur athletic association; provided, however, that the signs shall be erected so as to face and be oriented toward the interior of the athletic field, attached to the perimeter fencing of the field's boundaries, but shall not extend above the top of the fencing, and painted black, green, white or other appropriate color to coordinate with the fence on the back portion of the sign. These signs shall not exceed twenty-five square feet in area for each sign and the number of signs will be limited by the length of the boundary fence around the field. No sign erected pursuant to this exemption shall advertise or promote alcohol or tobacco products.

(p)

Signs on transit shelters located on public rights-of way, publicly owned property, or privately owned property, all subject to Section 326.108 (Zoning Limitations on Signs).

In the event that any portion of this section, including any exception contained herein, is declared invalid, unenforceable, unconstitutional or void, or is permanently enjoined, or if the existence of any provision of this section would result in any other portion of this Chapter or Chapter 656 or Article 23 of the Charter being held to be invalid, unenforceable, unconstitutional or void, and the court does not sever such invalid portion of this section, then the invalid portion of this section is repealed and invalid and thereafter no signs of the type included within the exemption shall be erected without compliance with the remainder of this Chapter and this Ordinance Code. It is the specific intent that the invalidity of any portion of this section shall not

affect any other section, subsection, paragraph, subparagraph, sentence, phrase, clause or word of this Chapter, Chapter 656, Article 23 of the Charter, or this Ordinance Code.

(Ord. 71-342-174; Ord. 73-1175-622, § 1; Ord. 83-591-400, § 1; Ord. 85-1201-663, § 6; Ord. 86-1523-871, § 3; Ord. 93-174-1054, § 14; Ord. 1999-833-E, § 2; Ord. 2009-401-E, § 1)

Note—Former § 900-1600.3; § 334.103.

Sec. 326.104. - Unlawful sign structures.

It shall be unlawful and a violation of this Building Code to erect, alter or maintain a sign which:

(a)

Does not meet all requirements of this Building Code, including the issuance of a permit therefor.

(b)

Is tacked, tied or pasted to a hydrant, tree, lamppost, telephone, telegraph or electric utility pole, fence or building.

(c)

Is hung or supported from another sign and is not built as an integral part thereof.

(d)

Is placed in a public space or street right-of-way, except as provided in Section 326.103(p), and subdivision identification signs may be installed under the provisions of sections 746.107 and 656.1308.

(e)

Is of a temporary nature not permanently anchored to the ground or other structure, such as A-frame signs or portable signs, but not including mobile signs as provided in section 326.208.

(f)

Contains lighting which includes illuminations that produce glare to vehicular traffic or electric incandescent bulbs with a rating exceeding forty percent of the lumen output of a one-hundred-watt clear bulb, with the lighting located less than twenty feet above the ground surface.

(g)

Contains illumination or electrical lighting, either of which pulsates, flashes, flickers, alternates or otherwise changes intensity, where the lighting or illumination is located within ten feet of a street right-of-way.

(h)

Consist of streamers, ribbons, pennants, or wind activated devices which encompass an area or areas, singularly or in the aggregate, greater than twenty-five square feet.

(Ord. 71-342-174; Ord. 71-700-400, § 4; Ord. 72-1206-631, § 3; Ord. 74-1196-540, § 1; Ord. 82-421-174, § 2; Ord. 83-591-400, § 1; Ord. 85-1201-663, § 6; Ord. 92-264-286, § 2; Ord. 93-174-1054, § 15; Ord. 2009-401-E, § 1)

Editor's note— Section 3 of Ord. 80-611-278 waived the provisions of this section for the purposes of the "Neighborhood Watch Program" authorized by § 1 of Ord. 80-611-278.

Note—Former § 900-1601; § 334.104.

Sec. 326.105. - Permit required.

It shall be unlawful to erect, enlarge, rebuild or structurally alter a sign without first obtaining a permit therefor in accordance with Part 4, Chapter 320.

(Ord. 71-342-174; Ord. 83-591-400, § 1; Ord. 85-1201-663, § 6)

Editor's note— Section 3 of Ord. 80-611-278 waived the provisions of this section for the purposes of the "Neighborhood Watch Program" authorized by § 1 of Ord. 80-611-278.

Section 15 of Ord. 85-1201-663 provides as follows "A permit issued prior to the effective date of this ordinance (October 31, 1985) shall be valid as provided by the terms of the code under which it was issued."

Note—Former § 900-1602.1; § 334.105.

ORDINANCE 2010-253-E (Enacted June 11, 2010)

Section 1. Section 656.1301(o) Created. Chapter 656 (Zoning Code), Part 13 (Sign Regulations) is amended to create a new subsection 656.1301(o), adding additional findings and determinations, and to read as follows:

CHAPTER 656. ZONING CODE PART 13. SIGN REGULATIONS

Sec. 656.1301. Findings.

(o) The sign categories identified within Part 13 of Chapter 656 relate to the function of the sign; the sign categorizes are tailored toward the sign function; the limitations on height, size, number, setback, physical characteristics or location are based upon the sign type and the sign function; the regulation of sign types according to their functions are not because of any disagreement with the message conveyed; the regulation of signage is not designed to regulate speech *per se*, but is a regulation of the places where some speech may occur; and the regulations herein are not concerned with a particular viewpoint and do not seek to advance or prohibit any particular point of view on any specific subject.

Section 2. Definitional Subsections 656.1302(dd) and (ee) Created. Chapter 656 (Zoning Code), Part 13 (Sign Regulations), Section 656.1302 (Definitions), is amended to create new subsections 656.1302(dd) and 656.1302(ee), providing definitions for election signs and free expression signs, to read as follows:

Sec. 656.1302. Definitions.

(dd) Temporary election sign means a temporary nonilluminated sign, not in excess of four (4) square feet in size (area) per side and the top of the sign is not more than six (6) feet off the ground, that functions to communicate support for or opposition to a candidate or stating a position regarding a ballot issue upon which the voters of the City shall vote. In a commercial zoning district the maximum size (area) per side of a temporary nonilluminated election sign may be increased from four (4) square feet to sixteen (16) square feet.

Sec. 656.1314. Temporary election signs.

In addition to other allowed sign types including a free expression sign, one temporary election sign for each candidate and each ballot issue may be displayed on a private lot. An election sign may be displayed as an attached sign or as a freestanding sign. If displayed as a freestanding sign, these signs shall be set back from the right-of-way not less than ten feet. A temporary election sign shall be removed within seven (7) calendar days following the election to which it pertains.

Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

ANANTH PRASAD, P.E.
SECRETARY

September 23, 2011

Notice to candidates for election to offices in the State of Florida

We would like to remind you of State law regarding political campaign signs:

(1) Signs placed on the State rights of way – Political campaign signs may not be placed in the right of way of any state or national highway (Chapter 479.11(8), Florida Statutes). Through a joint effort of the Florida Department of Transportation and the Florida Highway Patrol, a brochure explaining that the unauthorized use of the public rights of way is prohibited by Florida law and further outlining why the right of way is regulated and how to know the location of the right of way line is available through our office or from your local Supervisor of Election. We recommend this brochure be given to your campaign volunteers.

(2) Signs placed on private property – Temporary political campaign signs may be placed on private property with the permission of the owner, and such signs do not require a permit under state law.

Please advise your campaign workers to ensure that signs are placed on private property. Signs placed on the State rights of way must be picked up by Department staff and placed in one of the Department's maintenance yards. We will make every effort to place a courtesy call to your campaign office advising of sign removal and the location of the maintenance yard where the signs have been stored, because we know your campaign signage is expensive.

If you have any questions regarding this issue, please contact the Department's Outdoor Advertising Office in Tallahassee at (850) 414-4545. If you would like copies of the encroachment brochure, please e-mail your address and quantity needed to juanice.hughes@dot.state.fl.us.

Sincerely,

J. Jim Spalla, Director
Office of Right of Way

JS:jh

609 CODE ENFORCEMENT PENALTIES

Sec. 609.105. - Penalties.

(a) A violation of a provision of the Ordinance Code or Ordinance covered by this statute is civil infraction.
(b) There is established a maximum civil penalty not to exceed $500 per violation.
(c) Any person who has committed a civil infraction and does not contest the citation shall be assessed a penalty less than the maximum allowed.
(d) The violations and penalties for uncontested violations assessed are set forth in the attached uniform fine schedule and incorporated herein as Section **609**.109, Schedules "A" and "A1."
(e)Repeat violations will be assessed fines in the next higher class as specified in Schedule "A1," or an additional amount of $50 will be assessed, whichever is greater. Third time offenses and subsequent offenses will be considered class D violations, or an additional amount of $100 will be assessed, whichever is greater.
(f)Any person who willfully refuses to sign and accept a citation issued by a Code Enforcement Officer shall be guilty of a misdemeanor as provided for in F.S. § 162.21.
(Ord. 93-553-303, § 1; Ord. 96-575-332, § 3)

Sec. 609.109. - Applicable Chapters and Parts.

The following provisions of the Ordinance Code are subject to enforcement by citation. Where a Chapter or Part of a Chapter of the Code is referenced, then all Sections within that Chapter or Part are subject to enforcement by citation.
SCHEDULE "A"

CODE PROVISION*	DESCRIPTION	CLASS**
Chapter 155	Adult Arcade Amusement Center	E
Chapter 156	Electronic Game Promotions	E
Chapter 220	Vehicles for Hire	D
Chapter 250	Miscellaneous Business Regulations	D
Chapter 307	Historic Preservation and Protection	D
Chapter 320	Construction Regulations and Building Code	D
Chapter 321	Adoption of Building Code	D
Chapter 323	Street Encroachments	D
Chapter 324	Safeguards During Construction	D
Chapter 325	Electrical Installation	D
Chapter 326	Signs and Outdoor Displays	D
Chapter 328	Swimming Pools	D
Chapter 329	Mobile Homes	D
Chapter 342	Construction Trades Regulations	D

Chapter 380	Solid Waste Management	D
Chapter 382, Part 2	Waste Collection, Standards of Service	D
Chapter 420	Fire Prevention Code	B
Chapter 460	Health Code	C
Chapter 518	Property Maintenance Code	D
Section 614.145	Regulation of the Operation of Motorized Watercraft at Huguenot Memorial Park	A
Chapter 656	Zoning Code	D
Chapter 690	Altered Goods and Closing-Out Sales	D
Chapter 694	Charitable Solicitations and Organizations	D
Chapter 696	Deceptive Trade Practices	D
Chapter 745	Addressing and Street Naming	D
Chapter 746	Street Use Regulations	D
Chapter 752	Jacksonville Reuse of Reclaimed Water Program	D
Chapter 754	Stormwater Code	D

*All substantive code provisions subject to enforcement by this Ordinance shall continue to be enforced as they may be from time to time amended.
**Class is as listed unless otherwise indicated in the relevant Chapter or Section.

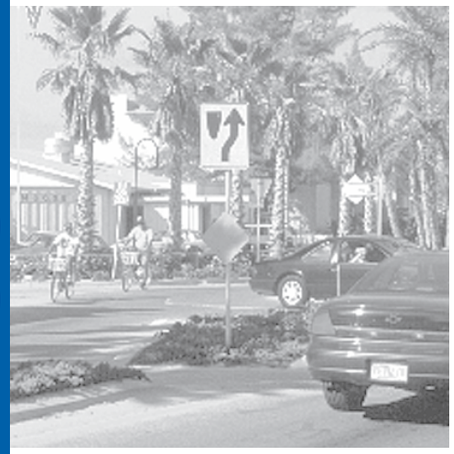
SCHEDULE "A1"
CODE ORDINANCE VIOLATIONS COUNTY
COURT UNIFORM FINE SCHEDULE
LOCAL ORDINANCE VIOLATIONS

	FINE	COSTS	TOTAL
Class A	$ 50	$ 5	$ 55
Class B	$ 75	$ 5	$ 80
Class C	$125	$ 5	$130
Class D	$250	$ 5	$255
Class E	$350	$ 5	$355

(Ord. 93-553-303, § 1; Ord. 94-711-743, § 3; Ord. 96-575-332, § 5; Ord. 97-231-E, § 2; Ord. 97-539-E, § 8; 98-994-E, § 2; Ord. 2002-252-E, § 1; Ord. 2002-992-E, § 10; Ord. 2002-1214-E, § 1; Ord. 2003-620-E, § 3; Ord. 2004-429-E, § 31; Ord. 2006-395-E, § 2; Ord. 2007-286-E, § 6; Ord. No. 2008-209-E, § 3; Ord. 2011-386-E, § 4)

GUIDELINES

FOR THE USE OF FLORIDA TRANSPORTATION RIGHTS OF WAY



Unauthorized use of the public right of way is prohibited by Florida law.
Illegal use of the right of way is a crime.
Each day a violation continues is a separate offense.

Section 337.406, Florida Statutes

PROHIBITED USES OF THE RIGHTS OF WAY

Any use which interferes with the safety and efficiency of the road.

•

Display of advertising of any sort.

•

Solicitation, including for charitable purposes.

•

Sale, display, or free distribution of any merchandise, goods, property or services.

•

Storage, servicing or non-emergency repairing of vehicles.

USES OF THE RIGHTS OF WAY THAT MAY BE ALLOWED BY PERMIT

Note: None of these uses are allowed on Interstate Highways.

Art festivals, parades, fairs, or other special events.
These may be allowed with a permit from the appropriate county or city government. Road closure by the county or city government requires FDOT approval. Temporary banners or similar devices may be allowed upon approval by local government and FDOT.

Temporary uses allowed by cities and counties.
Cities and counties may issue permits within their limits to allow uses which are ordinarily prohibited if the use is of limited duration, will not interfere with the safe and efficient movement of traffic and will cause no danger to the public.

Sales from vehicles standing on the right of way to occupants of abutting properties.
Such sales are permitted by persons holding valid peddlers' licenses issued by a county or city.

Solicitation for non-profit organizations.
Permits for solicitation for non-profit organizations may be issued by local governments.

WHY IS THE USE OF THE PUBLIC RIGHT OF WAY REGULATED?

Regulation of activities occurring within the right of way is necessary to help prevent:

- Distractions to motorists
- Unsafe pedestrian movement within travel lanes
- Sudden stoppage or slowdown of traffic
- Rapid lane changing and other dangerous traffic movements
- Increased vehicular accidents
- Motorist and pedestrian injuries and fatalities

WHAT IS THE RIGHT OF WAY AND HOW DO I KNOW WHERE IT IS?

The right of way for a road or other transportation facility is the paved area of the road, the road shoulders, sidewalks, swales, and all the other property adjacent to the road owned by the government for the construction and operation of the road or other facility. It may extend far beyond the paved road surface and may or may not be mowed or fenced.

Maps showing the location of the right of way for state roads are available from the Florida Department of Transportation. Maps for local streets and roads are available from the appropriate county or city offices.

The Florida Highway Patrol, the Florida Department of Transportation, and local law enforcement agencies monitor the use of the public rights of way and may issue citations when unauthorized uses are found.

Courts may impose a fine of up to $500 or imprisonment of up to 60 days or both for each offense. Local ordinances may impose additional fines.

Each day an unauthorized use continues is a separate offense.

If you have questions or would like to report illegal use of the right of way, please callthe FDOT State Maintenance Office at
(850) 410-5757.

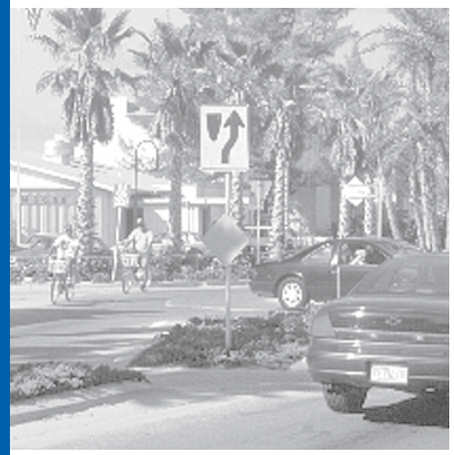
CLICK IT OR TICKET

Revision 1008

(ver al reverso en Español)

NORMAS

NORMAS DEL DEPARTAMENTO DE TRANSPORTE DE LA FLORIDA PARA EL USO DEL DERECHO SOBRE LA VÍA



El uso no autorizado del derecho sobre la vía pública está prohibido por las leyes de la Florida. El uso ilegal del derecho sobre la vía es un delito. Cada día de violación continua constituye una infracción por separado.

Sección 337.406 de los Estatutos de la Florida

USOS PROHIBIDOS DEL DERECHO SOBRE LA VÍA

Cualquier uso que interfiera con la seguridad y el buen funcionamiento de las carreteras.

•

Exhibición de anuncios publicitarios de cualquier índole.

•

Solicitud de donaciones, incluso para fines benéficos.

•

Venta, exhibición o distribución gratuita de todo tipo de mercancía, bienes, propiedades o servicios.

•

Almacenamiento, mantenimiento o reparación (salvo que sea por emergencia) de vehículos.

USOS DEL DERECHO SOBRE LA VÍA QUE PUEDEN SER AUTORIZADOS MEDIANTE UN PERMISO

Nota: Ninguno de estos usos está permitido en autopistas interestatales

Festivales de arte, desfiles, ferias y otros eventos especiales.

Pueden ser autorizados mediante un permiso otorgado por las autoridades del condado o ciudad correspondiente. Para el cierre de vías por parte de las autoridades del condado o de la ciudad se requiere la aprobación del FDOT. Puede permitirse la colocación temporal de banderillas o artículos similares mediante previa aprobación del gobierno local y el FDOT.

Permisos para usos temporeros por las ciudades y condados.

Las ciudades y los condados pueden otorgar permisos dentro de sus límites para autorizar un uso usualmente prohibido, siempre que dicho uso tenga una duración limitada, no interfiera con la circulación segura y efectiva del tráfico y no represente un peligro para el público.

Ventas desde vehículos estacionados en el derecho sobre la vía a ocupantes de propiedades colindantes.

Estas ventas se permiten a aquellas personas que posean licencias vigentes de vendedor ambulante otorgadas por la ciudad o el condado.

Solicitud de donaciones para organizaciones sin fines de lucro.

Los permisos para estos fines pueden ser otorgados por las autoridades locales.

¿POR QUÉ ESTÁ REGLAMENTADO EL USO PÚBLICO DEL DERECHO SOBRE LA VÍA?

La reglamentación de las actividades que se desarrollan en el derecho sobre la vía es necesaria porque permite la prevención de:

- Distracciones para los conductores
- Circulación peligrosa de peatones dentro de carriles de tránsito
- Interrupción o congestión repentina del tráfico
- Cambio rápido de carriles y otras maniobras peligrosas en el tráfico
- Aumento de accidentes vehiculares
- Lesión y muerte de conductores y peatones

¿QUÉ ES EL DERECHO SOBRE LA VÍA Y CÓMO PUEDO SABER DÓNDE ESTÁ?

El derecho sobre la vía de una carretera u otra vía de transporte es el área pavimentada de la carretera, los arcenes, las aceras, las cunetas y demás terrenos adyacentes al camino que son propiedad del estado y están destinados para la construcción y funcionamiento de la carretera y otros servicios. Puede extenderse más allá de la superficie pavimentada de la carretera y puede estar o no estar segado o cercado.

El Departamento de Transporte de la Florida tiene a la disposición mapas que indican la ubicación del derecho sobre la vía en las carreteras estatales. Los mapas de calles y carreteras locales pueden obtenerse a través de las oficinas del condado o ciudad correspondiente.

Las autoridades de Patrullaje de Autopistas de la Florida, el Departamento de Transporte y las fuerzas policiales locales supervisan el uso del derecho sobre la vía pública y pueden imponer sanciones en caso de hallar algún uso no autorizado.

Los tribunales puesen imponer una multa de hasta $500 o encarcelamiento hasta por sesenta dias, o ambas medidas para cada ofensa. Las ordenanzas locales pueden estipular multas adicionales.

Cada día de uso no autorizado continuo constituye una infracción por separado.

Si usted tiene alguna pregunta o desea notificar el uso ilegal del derecho de vía, comuníquese con la Oficina de Mantenimiento Estatal del Departamento de Transporte de la Florida (FDOT) por el número (850) 410-5757.

CLICK IT OR TICKET

Revisor 1008

Paul Crist
Florida Department of Transportation
Jacksonville Maintenance MS2801
Field Operations Administrator
838 Ellis Road
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Fax: (904) 360-5211
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Below is the revised list of contractors that oversee our system and who will be dealing with them throughout the year. JCS (Jorgensen Contract Services) were awarded the contracts for Clay and Nassau Counties and their contact information is below in **red** along with their project manager **Mr. Richard Lawson**.

From: Crist, Paul
Sent: Monday, June 04, 2012 11:44 AM
To: Thomas Egan; 'Crumley, Zachary'; 'James DeMarco'; 'LHOOVER@CLAYELECTIONS.COM'; 'BFLEET@COJ.NET'; 'MPEARSON@VOTENASSAU.COM'
Cc: Hannigan, James; Kuhn, Mark; Kosoy, Bob; Rinosa, Julius; Gautreaux, Russell; Bame, Richard; Drayton, John
Subject: What to do with Political signs
Importance: High

Ladies/Gentlemen;

As you know elections are a special time in this country history and everyone gets evolved, what a great nation we live in.

However, we do have a lot of overly excited supporters who sometimes place their candidates signs on our Right of Way which as everyone is aware of is against Florida Statues 337.406.

I am also attaching the guidance from Robert S. Kosoy, P.E., Jacksonville Maintenance Engineer which was forwarded to you earlier in May 2012.

Subject: Political signs

With the upcoming Presidential Election we are already seeing a lot of political signs. Please follow the previous direction and share it with our AM contractors:

Please practice extreme care and due diligence when dealing with non-compliant political signs. Make absolutely sure non-compliant political signs are within the State right-of-way before removal – if in doubt do not remove. Do not seek out non-compliant political signs to remove. Only remove non-compliant political signs based on complaints from our customers, valid safety concerns, or interference with maintenance operations. Call the campaign office of each affected candidate and give them the opportunity (1 to 2 days) to remove non-compliant political signs prior to removal by our forces. When we remove non-compliant political signs, make sure we do not discriminate – all non-compliant political signs at that site must be removed. Be ready to hand removed non-compliant political signs back to someone from the affected candidate's campaign office. Lastly, be less diligent about the removal of non-compliant political signs especially during the week proceeding Election Day.

Please make sure that all of our in-house and outsourced forces understand the sensitivity of this issue and comply with this direction.

I discuss the improper placement of political signs on the States Right of Way with our supporting counties Clay, Duval and Nassau Candidate Administrators. They all have spoken to the individual candidates election chairmen about the placement of all signage. Below is the contact person and information for each county should you need to contact individuals about their supporters placing their candidates signs on our Right of Way.

For Clay County please contact;
Ms. Linda Hoover at 904-269-6350 or email LHOOVER@CLAYELECTIONS.COM

For Duval County please contact;
Ms. Beth Fleet at 904-630-8002 or email BFLEET@COJ.NET
or Nassau County please contact;
Ms. Maria Pearson 904-491-7501 or email MPEARSON@VOTENASSAU.COM

For all the Candidate Administrators the information below is the Departments point of contact for each of our contractors who is responsible in maintaining your area;

Note: 1. **A new contractor name and phone number will be provided prior to July 1, 2012 for Clay and Nassau Counties, as these two contracts will change contractors.**
2. Duval and Nassau Counties have two separate contractors who maintain each system; the system is divided into primary roadways and interstate roadways.

For the Interstate System (includes Duval and Nassau Counties);
Mr. Zachery Crumley at (office 24/7) 904-268-1410 or email Crumleyz@transfieldservices.com

For Clay County System;
Mr. Richard Lawson at (office 24/7) 904-778-2828 or email Richard_Lawson@royjorgensen.com

For Nassau County System (primary roads only no Interstate);
Mr. Richard Lawson at (office 24/7) 904-778-2828 or email Richard_Lawson@royjorgensen.com

For Duval County System (primary roads only no Interstate);
Mr. James DeMarco at (office 24/7) 904-329-4210 or email Jdemarco@dbiservices.com