



**MINUTES
REGULAR MEETING
of THE MARY ESTHER CITY COUNCIL
December 9, 2024 - 6:00 PM**

195 Christobal Road – North, Mary Esther, FL 32569

CITY COUNCIL PRESENT

Chris Stein, Mayor
Susan Coxwell, Councilmember
Richard Lawson, Councilmember

April Sutton, Mayor Pro Tem
Larry Carter, Councilmember
Bernie Oder, Councilmember

CITY STAFF PRESENT

Jared Cobb, City Manager
Jennifer Comella, City Attorney
Tyler Reed, Community Development Director

Dillon Morris, City Clerk
Shawn Lindsey, Public Works Director

OTHERS PRESENT

Rodney Owens, OSCO Officer

Jeff Wagner, OCWFD Chief

1. INVOCATION

Jeff Wagner, Ocean City-Wright Fire Control District, gave the invocation.

2. CALL TO ORDER

Mayor Stein called the meeting to order at 6:00 p.m.

3. PLEDGE OF ALLEGIANCE

Mayor Stein led the pledge of allegiance.

4. ROLL CALL

The City Clerk called the roll as reflected above. Mayor Stein asked for a motion to allow Councilmember Carter to participate virtually. Councilmember Coxwell initiated the motion, which Mayor Pro Tem Sutton seconded. The motion passed 4-0.

RESULT:	PASSED (4-0)
MOVER:	Councilmember Susan Coxwell
SECOND:	Mayor Pro Tem April Sutton
AYES:	Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

5. APPROVAL OF THE AGENDA

Mayor Stein asked if the council wished to make any changes to the agenda. Hearing none, Mayor Stein asked for a motion. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Lawson. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Richard Lawson
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

6. SPECIAL PRESENTATIONS

None.

7. **CONSENT AGENDA**

Mayor Stein asked if the council wished to make any changes to the consent agenda. Hearing none, Mayor Stein asked for a motion. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

7.1. **Financial Report**

7.2. **Public Works Report**

7.3. **Library Report**

7.4. **Fire Department Report**

7.5. **Community Development Report**

7.6. **Jacobs Report**

7.7. **Law Enforcement Report**

7.8. **Minutes of the November 4th, 2024 Regular Council Meeting**

8. **CITIZENS WHO HAVE REQUESTED TO BE PLACED ON THE AGENDA**

None.

9. **PUBLIC COMMENT (NON-AGENDA ITEMS)**

Ian Blaze, 101 W Miracle Strip Pkwy, discussed that his rezoning application was held up as he did not have a sight plan but that the evening's LPA meeting passed when the representative did not have a sight plan. He questioned if the city had plans to patch the sewer line on his property since the city's second patch had failed. Mayor Stein stated that the question could have asked city staff for clarification and that public comment was more for expressing opinions.

Jan Lipscomb, 95 W Miracle Strip Pkwy, gave a packet to the mayor and council (see attachment). She discussed a letter to Mr. Blaze discussing her sign and a letter from code enforcement defining prohibited signs and a building permit application. She discussed the sandwich board sign she had taken down and said that several businesses have similar signboards at their locations. She discussed that the city only has one code enforcement officer and asked to decrease some of the library's budget to hire another officer. She discussed a similar electronic sign at another business that is up and flag signs up at other businesses when there is a limit of 1. She requested that the city look at the ordinances pertaining to businesses and reevaluate them.

10. **UNFINISHED BUSINESS**

10.1. **First Reading, Ordinance 2024-01, Vacation Rentals**

Mayor Stein asked the clerk to read the title of the ordinance of 2024-01. City Clerk Morris read the title of the ordinance. City Manager Cobb clarified that they were not looking for a first reading tonight but more direction and feedback from the council. He added that another option is using business tax receipts to keep track of short-term rentals. Mayor Pro Tem Sutton expressed interest in using the business tax receipts option and said she still did not support code enforcement being able to enter the homes. Councilmember Coxwell agreed with business tax receipts and expressed concern over only being able to have 1 designated responsible party. City Manager Cobb clarified it is to hold someone accountable and that there are ways to nominate someone out of state with a notarized document. Councilmember Coxwell inquired about the 1

hour response time with City Manager Cobb, stating that the latest draft changed to 24 hours. Councilmember Carter discussed that it should be a level playing field for everyone and that the city is responsible to business owners and citizens. Councilmember Oder expressed concern with bigger companies buying out major properties, the designated party being in other states, and the city losing control. He also questioned how the business tax receipt would help the city with short-term rentals. City Manager Cobb said it is a yearly requirement and would not impose many rules. He discussed that the business tax receipt would suffice if the city were to make an ordinance that does not limit a lot. Mayor Pro Tem Sutton discussed a stance of caution with requiring a headcount. City Manager Cobb stated there is not an occupancy requirement. Councilmember Oder discussed situations where the military would split costs with squads fitting 6-12 people in a room. He also discussed the possibility of human traffickers knowing of Air BnB and using them. Councilmember Carter discussed that an ordinance would not stop bad people nor encourage people to do things right. He supports an ordinance but believes the city should have a baseline and something in place.

Mayor Stein asked if anyone in the public would like to comment on the topic. Elaine Rogers, 351 Angela Lane, discussed being for the business tax receipt option. She said it would help people know how to register and pay their taxes. She mentioned in the ordinance that the occupancy must match what the city has on record. She said she would observe it but make an exception for small children. She supported the 24-hour notification. She expressed support for having a small contact sign on the front window of a house for emergency contact. She also questioned whether if you have a violation on record, you can not apply, and whether someone gets a violation for not being registered, they would be unable to register.

Mary Walton, owner of a room at the Cedars, discussed that they are registered with the county and state, but it is good to be registered with the municipality.

Steven Lipscomb, 217 Page Bacon, discussed bringing up fire inspections for the properties to make it fair for all businesses.

City Manager Cobb asked the council what the consensus was. Mayor Stein said the business tax receipt was the consensus. Councilmember Oder asked if the ordinance could be combined with the business tax receipt. City Manager Cobb stated that regardless of whether an ordinance was passed, a business tax receipt would be required.

11. NEW BUSINESS

- 11.1. Ordinance No. 2024-05 and No. 2024-06, Consider a Small-Scale Future Land Use Map Amendment from Commercial (Com) to Low Density Residential (LDR) and a Rezone from C-2 General Commercial to R-1 Single Family Residential for approximately 1.15 acres. (Damian Curtis, Applicant) (Tyler Reed, Community Development Director)**
- Community Development Director Reed discussed the future land use map zoning change for a property and the LPA meeting, at which they recommended the change to the city council. He stated that staff recommended the change and reading of 2024-05 and 2024-06 ordinances. Mayor Pro Tem Sutton wanted to clarify that this is specifically for the rezone and not the redividing of the parcel, which Community Development Director Reed confirmed. City Clerk Morris read the title of Ordinance 2024-05. Mayor Stein asked for a motion to approve first reading of Ordinance No. 2024-05 enacting a small-scale future land use map amendment from commercial to low-density residential for approximately 1.15 acres, located on the south side of US Highway 98 and approximately 375 feet west of Windy Lane. Mayor Pro Tem Sutton initiated the motion which was seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Susan Coxwell

AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

City Clerk Morris read the title of Ordinance 2024-06. Mayor Stein asked for a motion to approve a first reading of Ordinance No. 2024-06, enacting a rezone from C-2 to R-1 zoning district for approximately 1.15 acres located on the south side of US Highway 98 and approximately 375 west of Windy Lane. Councilmember Lawson initiated the motion, which was seconded by Mayor Pro Tem Sutton. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Richard Lawson
SECOND:	Mayor Pro Tem April Sutton
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.2. Consideration of Ordinance relating to Public Camping or Sleeping in City facilities, grounds, right-of-way, and sidewalks

Community Development Director Reed led the discussion, stating the city is proposing an ordinance relation to public camping or sleeping in city facilities. He stated the county commission is requesting municipalities to consider and possibly adopt similar uniform ordinances from the ordinance Okaloosa county passed. Mayor Pro Tem Sutton asked for law enforcement to speak. Rodney Owens, Okaloosa County Sheriff Office, stated he believes it is a good thing they have established the ordinance. Councilmember Coxwell discussed how it would affect people sleeping overnight in their vehicles. City Manager Cobb stated it would amount to camping. Councilmember Oder cited that he liked the county's ordinance and discussed a recent issue about a homeless person camping near his property. Councilmember Carter discussed the growing trend of stealth camping. City Manager Cobb stated for private property, to have a trespass order and let the city know for vacant properties so the city can inform the property owners.

11.3. Approval of Contract with US Tank for Water Storage Tank Maintenance Program

Public Works Director Lindsey led the discussion on the contract received with US Tank for the Water Storage Tank Maintenance Program. Mayor Stein asked if the council had any questions. Hearing none, he asked for a motion to approve the maintenance contract with U.S. Tank and authorize the mayor to execute the contract. Councilmember Oder initiated the motion and Councilmember Coxwell seconded it. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Bernie Oder
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.4. Award of RFB 2024-10, City Hall Adaptive Re-use Project

Public Works Director Lindsey led the discussion on the bids received for the city hall adaptive reuse, with the city recommending that Stockton Construction be awarded the bid. Mayor Stein asked what the \$50,000 change orders staff could approve would be. Public Works Director

Lindsey discussed that some minor unexpected items could come up during construction, and allowing staff to approve change orders would not necessitate bringing it back to the council and stopping construction. Councilmember Oder asked if the mayor and council would receive updates if the change order were used. City Manager Cobb stated there are no reservations about informing the mayor and council about those situations. Public Works Director Lindsey stated that the architect would also send a report for justification. Upon no more discussion, Mayor Stein asked for a motion to award RFB 2024-10 City of Mary Esther City Hall Adaptive Re-use project to Stockton Construction Group, accept Exhibit O turned in after bids were opened, and authorize the Mayor to sign the contract for \$563,783.92 including an owner contingency of \$50,000 for any change orders that the staff can approve as necessary for the project. The motion was initiated by Councilmember Oder and seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Bernie Oder
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.5. Award of RFB 2024-11, Spray/Squeegee Machine

Public Works Director Lindsey led the discussion on receiving bids for a spray/squeegee machine, receiving one bid and recommending awarding the bid to Neal Manufacturing. Mayor Stein asked if there was any discussion. Hearing none, he asked for a motion to award RFB 2024-11 to Neal Manufacturing, a Division of Blastcrete Equipment LLC, and execute a purchase order in the amount of \$61,285. The motion was initiated by Councilmember Oder and seconded by Mayor Pro Tem Sutton. Councilmember Carter asked what the warranty period for the equipment was. Councilmember Coxwell stated it was a 1-year warranty. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Bernie Oder
SECOND:	Mayor Pro Tem April Sutton
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.6. Consideration of Resolution 24-09, Approval of "Piggy Back" Agreement for the City of Fort Walton Beach Contract for Paving

Public Works Director Lindsey led the discussion about future paving for Mary Esther and that many municipalities have already piggybacked off the agreement. He discussed the pros of piggybacking. He stated the recommendation was to approve the resolution and authorize the purchase. Mayor Pro Tem Sutton asked if it would address the water leak on Elliot, with Public Works Director Lindsey saying it was addressed the week prior. City Clerk Morris read the title of Resolution 24-09. Mayor Stein asked for a motion to approve Resolution 24-09, permitting the city to utilize the Fort Walton Beach contract with James David Site Prep & Underground, LLC, of Baker, FL, for paving needs not to exceed \$100,000. Councilmember Coxwell initiated the motion, which Mayor Pro Tem Sutton seconded. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Susan Coxwell

SECOND:	Mayor Pro Tem April Sutton
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.7. Declaration of Surplus Items

Public Works Director Lindsey led the discussion on surplus items, stating that staff recommends approving the items as surplus and that staff dispose of them most advantageously. Mayor Stein asked if they would go to auction, with Public Works Director Lindsey stating some would, but some items would just be scrapped due to their condition. Mayor Stein asked if there was any discussion. Upon hearing none, Mayor Stein asked for a motion to declare the items listed in Attachment A as surplus and authorize staff to use the most advantageous disposal method. The motion was initiated by Mayor Pro Tem Sutton and seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.8. Approval of Azalea Park Design Elements

Public Works Director Lindsey led the discussion on Azalea Park Design Elements, stating the city recommended approving the design elements so construction could start, along with rules from the fire department about the fire pit. Councilmember Coxwell asked if there would be a fire pit and standing grills and how burn bans would affect these items. Public Works Director Lindsey stated that the fire pit could cook food and that the standing grills might be relocated elsewhere in the park. Fire Chief Wagner discussed the liability of having the grills and burn bans up to municipalities regarding how they police them. Mayor Pro Tem Sutton asked if the fire pit would be on a maintenance schedule. Public Works Director Lindsey said it was checked and cleaned twice weekly. City Manager Cobb noted that the city and its citizens should not be burning anything if there is a burn ban. Councilmember Coxwell asked if there would be any way to educate citizens on fire pit safety. Public Works Director Lindsey stated he would look into it. Mayor Pro Tem Sutton asked if the fire extinguisher would be kept in anything for the risk of theft. Public Works Director Lindsey stated that it is an option, as well as the addition of cameras. Mayor Stein asked if there was a motion to approve the attached design elements, with the proposed minor modifications and the recommendations from the Fire Marshall regarding the fire pit, including placement at least 15 feet from the pavilion, posting rules for use, mounting a fire extinguisher, requiring a park reservation, and providing regular maintenance. Mayor Pro Tem Sutton initiated the motion which was seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.9. Discussion of FDEP Consent Order Amendment #2

Public Works Director Lindsey led the discussion about the FDEP Consent Order Amendment, which stated that the city should explore funding opportunities for constructing a wastewater force main to the Okaloosa County Wastewater Treatment Facility, which would decommission the city's plant. Hurlburt Field has expressed partnership interest and is conducting a study of all available options, and to move forward, staff must seek a time extension from FDEP. Councilmember Oder asked if they knew that the Department of Defense moves very slowly. City Manager Cobb stated that FDEP is aware.

11.10. Discussion of Photo Speed Enforcement in School Zones

City Manager Cobb led the discussion of photo speed enforcement, stating that if the city wishes to continue, a speed study would need to be conducted and then a public hearing before moving forward with an ordinance. Councilmember Coxwell stated that Fort Walton Beach used Shalimar's ordinance for theirs. City Manager Cobb said it would be better to have an independent study done if anyone wished to challenge it. Councilmember Oder asked if it would still operate if the lights were blinking and the school was not in session. City Manager Cobb stated that according to state law if the school is not in session, no citations are sent out, and if the system did write a citation, a human would need to review it. If it still was sent out, a person could challenge the citation.

11.11. Review of Projects for FY 2025 Legislative Appropriation Request

City Manager Cobb led the discussion on the legislative appropriation request, stating that requesting funding would need to go through the whole legislative process and having a discussion with the legislators if they will still support it. Mayor Stein asked if there was any discussion. Mayor Stein asked for a motion to authorize the City Manager to submit an FY 2026 Local Funding Initiative Request to the Florida Senate and Florida House of Representatives for the Okaloosa County Wastewater Connection for the amount of \$1,000,000 and the Northwest Stormwater Improvements for the amount of \$500,000. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Lawson. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Richard Lawson
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.12. Approval of FY 2025 Action Plan

City Manager Cobb led the discussion of the FY 2025 Action Plan, stating that 2 items were not included in the budget. One was a farmers market and one was a study of possible annexation into the fire district. Mayor Pro Tem Sutton discussed the study and wanted to see if the citizens would be interested in a referendum to be absorbed into the fire district. Mayor Stein asked if the citizens would vote on the tax the fire district would put. City Manager Cobb stated that the legislature would have to pass legislation for this to occur. Fire Chief Wagner stated it could go to a referendum to citizens would could then be taken to legislatures to help the process and that he has also heard the council can make the decision and take it to the legislature but that the former makes a stronger case. Councilmember Coxwell asked where the farmers marker would be with City Manager Cobb stating the two researched locations are next to the library or working with the mall. Councilmember Oder stated that depending on how in-depth the city goes with studies, the more it will cost. He also asked if the city manager felt comfortable with the dates presented. City Manager Cobb stated that he was comfortable. Mayor Stein asked for a motion to approve the FY 2025 Action Plan as presented. Mayor Pro Tem Sutton initiated the motion and seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton

SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.13. Approval of FY 2025 City Manager Work Plan

City Manager Cobb led the discussion on the work plan, stating it is something approved every year by the council with goals specific to the city manager. Mayor Stein asked if there were any questions. Councilmember Oder asked if the city manager was comfortable with the dates. City Manager Cobb stated he was comfortable. Mayor Stein asked for a motion to approve the FY 2025 City Manager Work Plan. Councilmember Coxwell initiated the motion and seconded by Councilmember Oder. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Susan Coxwell
SECOND:	Councilmember Bernie Oder
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.14. Consideration of Resolution 24-10, Adoption of Standards to Safeguard Against Cybersecurity Threats

City Manager Cobb led the discussion on Resolution 24-10, stating that the state legislature requires this for a framework of cybersecurity standards. He also stated everyone would be required to do a 4 hour training on cybersecurity. City Clerk Morris read the title of Resolution 24-10. Mayor Stein asked for a motion to approve Resolution 24-10, adoption of standards to safeguard against cybersecurity threats. Councilmember Lawson initiated the motion and seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Larry Carter
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

12. COUNCILS' STANDING COMMITTEE STATUS REPORTS

Mayor Pro Tem Sutton discussed her trip to Orlando and the Florida League of Cities conference, thanked the fire department and sheriff's department for working during the holidays, thanked the library and maintenance staff for the hard work with the city's tree lighting, and wished everyone merry Christmas and happy new year.

Councilmember Coxwell discussed the success of the tree lighting, her participation in OCHIP meetings, and her organizing of a community land trust, and she wished everyone a good holiday.

Councilmember Lawson stated he regretted missing the tree lighting but that it was due to his surgery.

Councilmember Carter wished everyone a merry Christmas and a happy new year.

Councilmember Oder discussed his trip to Orlando for the Florida League of Cities conference, thanked the sheriff and code enforcement for dealing with a homeless issue, the upcoming Northwest Florida

League of Cities dinner, the city Christmas party, and congratulated the fire chief on his promotion.

Mayor Stein discussed the success of the tree lighting, the upcoming Santa runs, the Santa photo-op, the upcoming workshop, the houses for the home for the holidays certificate, and the city manager's birthday.

13. OTHER COMMENTS

City Attorney Comella had no comments.

City Clerk Morris discussed that he and the mayor signed contracts with the Okaloosa League of Cities to work with them, his grades received in his master's program, his upcoming vacation, and wished everyone happy holidays, merry Christmas, and happy new year's.

City Manager Cobb discussed the upcoming workshop.

14. ADJOURN

The council meeting adjourned at 7:55 p.m.

Minutes approved at the 2/3/2025 meeting.

Dillon Morris

Dillon Morris, City Clerk





City of Mary Esther
Code Compliance

195 Christobal Road North
Mary Esther, FL 32569
Phone: 850-243-3566
Email: code@cityofmaryesther.com

Case Number: **CODE-000087-2024**

Case Type: **Code Compliance**

Date Case Established: **10/17/2024**

Compliance Deadline: **11/06/2024**

Owner: Ian Blaise

Mailing Address

Ian Blaise
702 Lakeside N DR N
Destin, FL 32541

The City of Mary Esther has adopted ordinances to support a safe, healthy, and neighborly community. During a recent code compliance inspection, an ordinance violation was observed at the address below:

Address

Parcel

101 W MIRACLE STRIP PKWY PKWY
MARY ESTHER, FL 32569

16-2S-24-1710-000C-0130

We are issuing this Courtesy Notice to allow you an opportunity to correct the violation. If Corrective Action is completed by the Compliance Date your case will be closed and no further action will be necessary. Failure to correct the violation will result in a Violation Notice and additional code compliance action.

Violation: 14.5-3 (a)(4) - Parking Trailer Or Boat On A City Street, Park Or Thoroughfare In Excess Of 24 Hours

Parking Trailer Or Boat On Roadway

Corrective Action: Boats and Boat Trailers may not be parked on R-O-W and shall be parked within approved designated area.

Compliance Date: 11/06/2024

Violation: 16.14.00(a)(b)(c) - Signage Without A Permit

Erection Of A Sign Without A Permit

Corrective Action: Obtain all necessary permits for signage. This includes feather flags and store signs.

Compliance Date: 11/06/2024

Violation: CO 8.05.04 (A)(B) F.S. 553.5041 (6) - Handicap Parking Sign Requirements

Corrective Action: ADA parking sign shall meet City code requirements.

Compliance Date: 11/06/2024

Violation: LDC 8.05.01; 8.05.03 - Parking Lot Striping LDC

Minimum parking lot design standard

Corrective Action: Parking lot shall meet City Code standards.

Compliance Date: 11/06/2024

Violation: LDC 8.05.04; FS 553.5041 - ADA Parking Lot Design

Corrective Action: Parking lot design shall meet City Codes. Parking lot design shall meet all ADA standards.

Compliance Date: 11/06/2024

Violation: Other - Other

Corrective Action: Setbacks I (2). Front Yard: On every lot or parcel, there shall be a front yard (setback) of not less than fifty (50) feet. No building, structure, accessory structure, fence, wall, seating or other use is permitted within the front setback or forward of the building. Remove ice machine constructed within front setback.

Compliance Date: 11/06/2024

If you have any questions regarding this notice, please feel free to contact me at 850-243-3566 or code@cityofmaryesther.com.



City of Mary Esther
Code Compliance

195 Christobal Road North
Mary Esther, FL 32569
Phone: 850-243-3566
Email: code@cityofmaryesther.com

Sincerely,

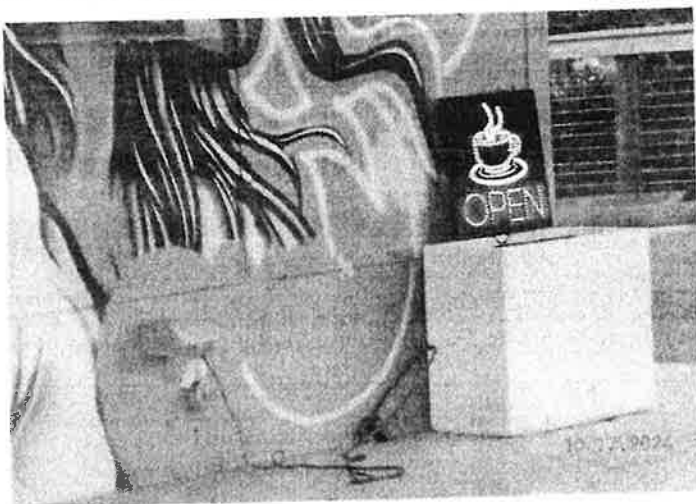
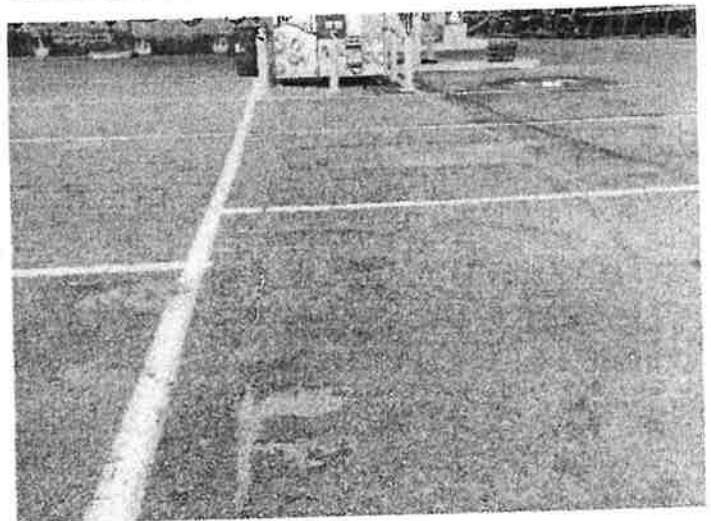
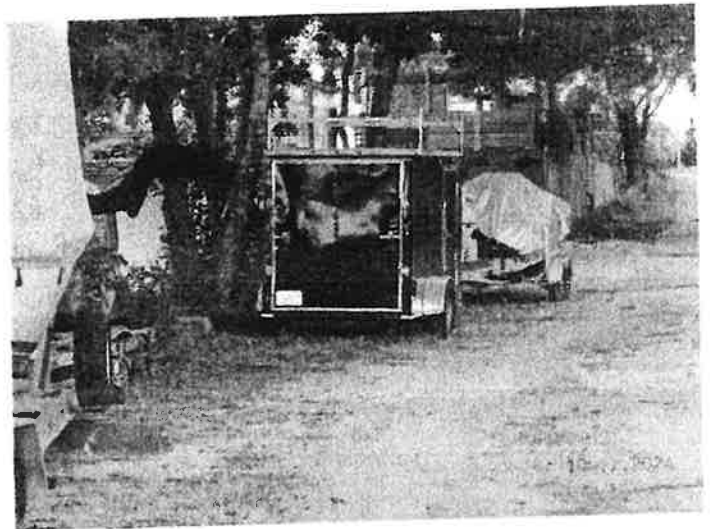
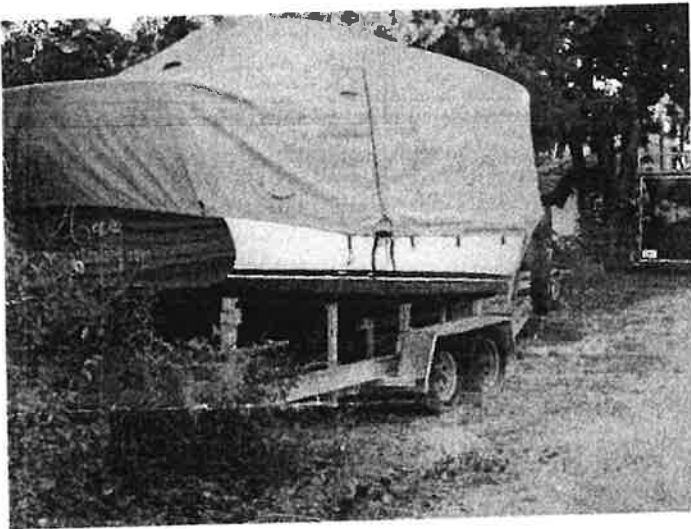
Kelvin Cherry
Code Compliance Officer - Badge Number: 1058

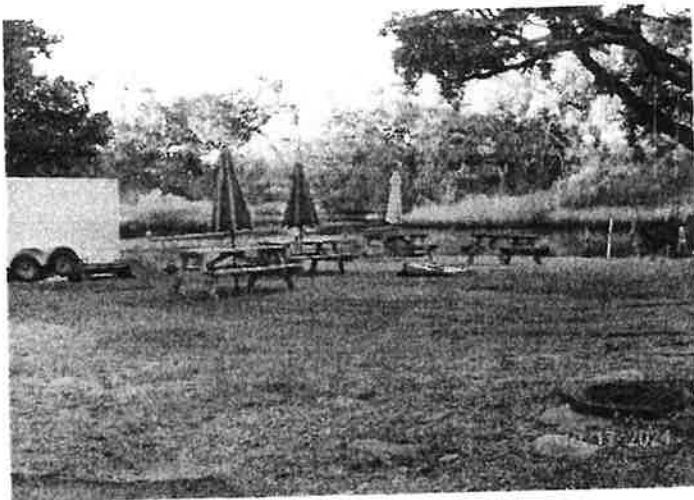
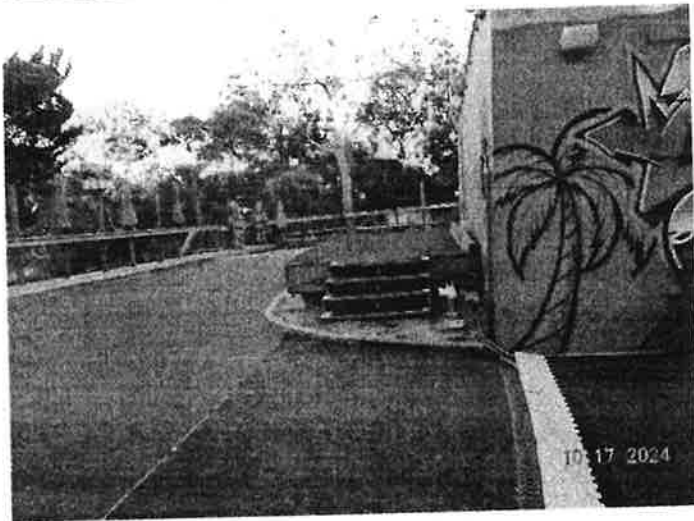
Case Number: **CODE-000087-2024**

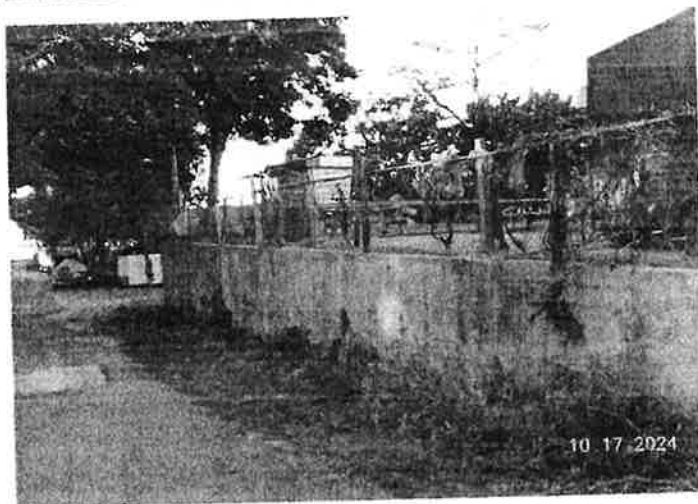
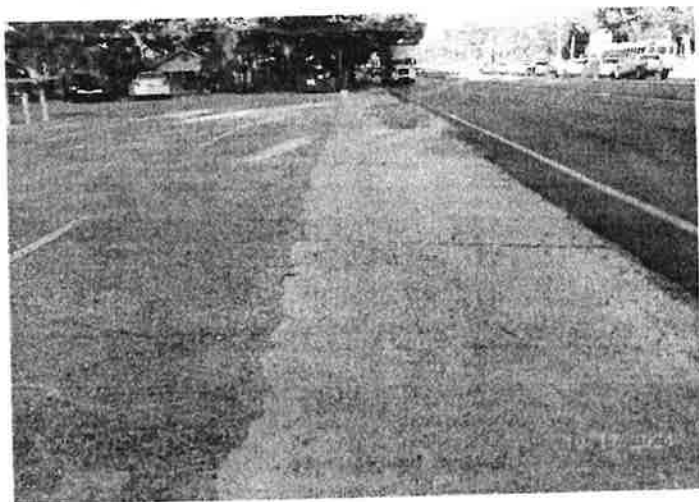
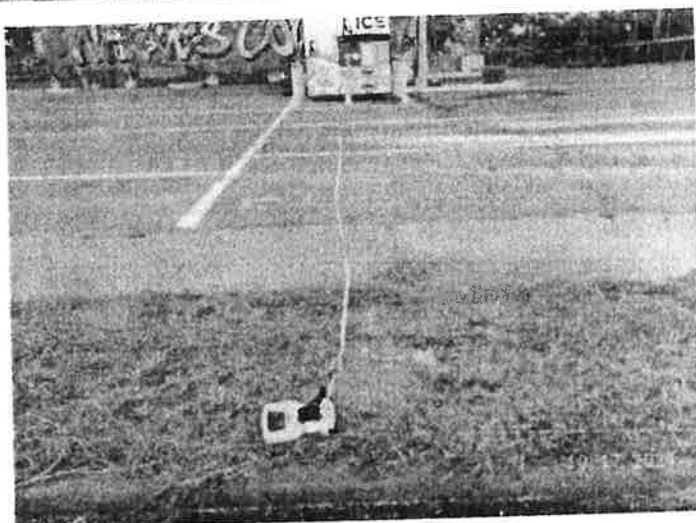
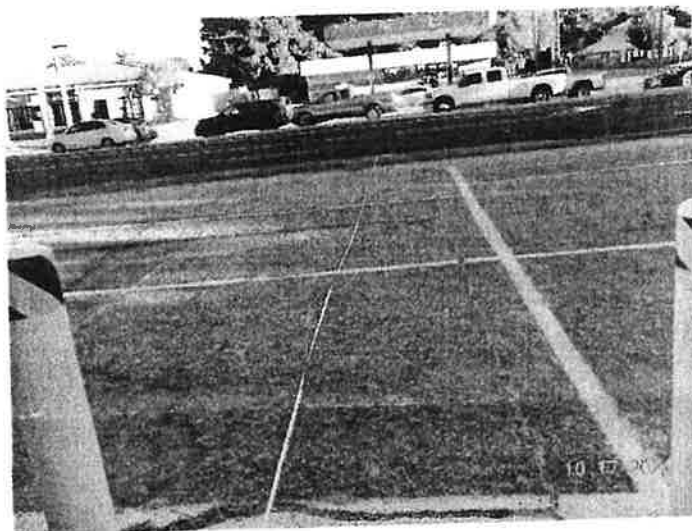
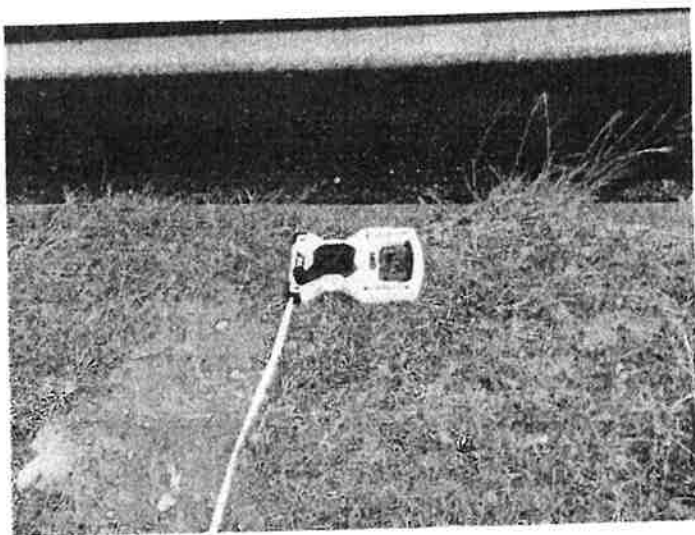
Case Type: Code Compliance

Date Case Established: 10/17/2024

Compliance Deadline: 11/06/2024







16.03.00 - PROHIBITED SIGNS

The following signs and sign-types are prohibited within the City and shall not be erected. Any lawfully existing permanent sign or sign-type which is among the prohibited signs and sign-types listed below shall be deemed a nonconforming sign subject to the provisions of this Article 16 and Section 7.17.00, Nonconforming Uses and Structures.

- (a) Billboards; off-premises and off-site advertising signs.
- (b) Portable signs.
- (c) Roof signs.
- (d) Signs that exceed the maximum height and/or size limitations set forth in this Article 16.
- (e) Signs displayed in excess of the maximum number of signs per lot as set forth in this Article 16.
- (f) Snipe signs and bandit signs.
- (g) Prohibited vehicle signs.
- (h) Abandoned and discontinued signs and sign structures.
- (i) Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device.
- (j) Any sign within a sight visibility triangle that obstructs a clear view of pedestrian or vehicular traffic.
- (k) Any sign in the public right-of-way, other than Traffic Control Device Signs, bus stop informational signs, warning signs or safety signs.
- (l) Any sign other than a Traffic Control Device Sign that uses the word "stop" or "danger," or presents or implies the need or requirement of stopping or the existence of danger, or which is a copy or imitation of official traffic control device signs, and which is adjacent to the right-of-way of any road, street, or highway.
- (m) Any sign prohibited by state or federal law.
- (n) Any sign located on real property without the permission of the property owner.
- (o) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter.
- (p) Revolving signs.
- (q) Wind signs.
- (r) Signs with unshielded illuminating devices.
- (s) Intermittent signs.
- (t) Projecting signs.
- (u) Sandwich board signs.

16.14.00 - SIGN PERMITS

- (a) *Permanent Signs.* A sign permit application for a permanent sign shall be made upon a form provided by the City. The requirement for a sign permit application is in addition to any building permit application required by the Florida Building Code. The sign permit application shall be accompanied by plans and specifications drawn to scale, together with any site plan required by the Code. The applicant shall furnish the following information on or with the sign permit application form:
- (1) The legal description of the real property where the sign is proposed to be located.
 - (2) The zoning district for the real property on which the sign will be located.
 - (3) The name, mailing address and telephone number (where available) of the owner(s) of the real property where the sign is proposed to be located.
 - (4) A notarized statement of authorization signed by the owner(s) consenting to the placement of the proposed sign on the real property.
 - (5) The name, mailing address and telephone number of the sign contractor.
 - (6) The type of proposed sign (e.g., attached wall sign, freestanding sign).
 - (7) The square footage of the surface area of the proposed sign.
 - (8) The setbacks for the proposed sign.
 - (9) The value of the proposed sign.
 - (10) If the proposed sign is a freestanding sign, the height of the proposed freestanding sign.
 - (11) If the proposed sign is an attached wall sign, the total number of permanent wall signs on the facade of the building to which the proposed sign will be attached, including the proposed sign.
 - (12) Whether the proposed sign will be an illuminated or non-illuminated sign.
- (b) *Temporary Signs.* For a temporary sign that requires a sign permit pursuant to Section 16.04.00, a sign permit application shall be made upon a form provided by the City that requires such information as necessary to enforce the provisions of this Article 16.
- (c) *Permit Review and Appeal.* An applicant shall deliver a sign permit application for a permanent sign to the City's Planning and Zoning Department.

(Ord. No. 2011-01, § 1, 6-6-11; Ord. No. 2013-07, § 1, 8-5-13)

16.01.00 - DEFINITIONS

All words used in this Article 16 shall carry their customary dictionary meanings, except that the following words, terms and phrases, when used in this Article 16, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned or discontinued sign or sign structure means a sign or sign structure is considered abandoned or discontinued when its owner fails to operate or maintain a sign for a period of six months or longer. The following conditions shall be considered as the failure to operate or maintain a sign: (i) a sign displaying advertising for a product or service which is no longer available or displaying advertising for a business which is no longer licensed, or (ii) a sign which is blank.

Advertising means sign copy intended to aid, directly or indirectly, in the commercial sale, use or promotion of a product, commodity, service, activity, entertainment, or real or personal property, or to advertise any other commercial message.

Animated sign means a sign which includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including signs set in motion by movement of the atmosphere, or made up of a series of sections that turn.

Artwork means a two- or three-dimensional representation of a creative idea that is expressed in a form and manner as to provide aesthetic enjoyment for the viewer rather than to specifically convey the name of the business or a commercial message about the products or services offered on the property upon which the artwork is displayed.

Attached sign means a wall sign, a marquee sign, a window sign, but not a canopy sign.

Bandit sign see *Snipe sign*.

Banner means a temporary sign made of wind and weather resistant cloth or other lightweight material, intended to hang either with or without frames or in some manner as not to be wind activated, and possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind, as well as any sign or string of one or more signs, usually made of cloth or other lightweight material, which is used to attract attention, whether or not imprinted with words or characters, including but not limited to balloons and pennants. Flags shall not be considered banners.

Billboard means a sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located.

Council means the City Council of the City of Mary Esther.

Canopy sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Commercial message means any sign wording, logo, or other representation or image that directly or indirectly names, advertises, or calls attention to a product, service, sale or sales event or other commercial activity.

Construction sign means a temporary on-premises sign that functions to identify the ongoing construction activity during the time that a building permit is active and prior to completion of the work for which the permit was issued, containing sign copy that is limited to the ongoing construction activity and identifying the contractor and/or any subcontractor engaged to perform construction activity on the site.

Copy means the linguistic or graphic content of a sign.

Double-faced sign means a single sign with items of information relating to the same business on both sides of the sign and mounted as a single structure.

Election sign means a temporary sign erected or displayed for the purpose of expressing support for or opposition to a candidate or stating a position regarding an issue upon which the voters of the City shall vote.

Erect means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish; but it does not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance or repair of a sign.

Facade means the side of a building, either front or side; and a building facade may be less than the entire side of a building if limited to the occupancy of a portion of a building.

Feather Flag means a commercial sign composed of a fabric or vinyl material placed on a pole, generally displayed in a vertical position, properly anchored with a ground stake or base stand.

Flag means any fabric, or bunting containing distinct colors, patterns or symbols, used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity, or as personal message regardless of content. (See also Ornamental flag.)

Flagpole shall mean a pole on which to raise a flag.

Flashing sign means a sign which permits light to be turned on or off intermittently more frequently than once per minute.

Free expression sign means a sign, not in excess of three (3) square feet in size (area) per side and the top of the sign is not more than six (6) feet off the ground, or not more than three (3) feet if displayed as a freestanding sign, communicating information or views on matters of public policy concern or containing any other noncommercial message, that is otherwise lawful.

Freestanding sign means a sign supported by structures or supports that are placed on or anchored in the ground or at ground level and which are independent of any building or other structure. Unless otherwise limited or restricted, a freestanding sign may be either a monument sign or a pole sign.

Garage or yard sale sign (garage-yard sale sign) means any onsite temporary sign that functions to identify the sale of personal property in, at or upon any residentially-zoned property located in the City. Garage or yard sales shall include but not be limited to all such sales, and shall include the advertising of the holding of any such sale, or the offering to make any sale, whether made under any name such as garage sale, lawn sale, yard sale, front yard sale, back yard sale, home sale, attic sale, rummage sale, patio sale, flea market sale, or any similar designation.

Ground level means the finished grade of a parcel of land exclusive of any filling, berming or mounding. Ground level on marina docks or floating structures shall be the finished grade of the landward portion of the adjoining parcel.

Grand opening sign means an on-premises temporary sign that functions to announce the opening of a new business, that does not exceed sixteen (16) square feet in sign area and that is not displayed for longer than thirty (30) days after the opening date of the new business.

Height means vertical distance measured from ground level nearest the base of the sign to the highest point on the sign.

Holiday and seasonal decorations means decorations that pertain to legal or other recognized holidays or to a season of the year.

Illegal sign means any sign, which has been determined to be in violation of any provision of this Article 16.

Illuminated sign means any sign or portion thereof, which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

Incidental sign means a sign not exceeding one square foot in size attached to a freestanding sign or affixed to a wall, that either (a) identifies credit cards accepted by the owner, tenant, or occupant of the parcel where the incidental sign is located, or (b) provides an official notice of services required by law or trade affiliation.

Intermittent sign means a sign, which permits light to be turned on or off intermittently more frequently than once an hour. An intermittent sign includes an LED sign and any other electronic variable message sign whereby the message changes more frequently than once every hour.

LED sign means a sign utilizing Light Emitting Diodes.

Lot see definition of *Parcel*.

Machinery or equipment sign means a sign incorporated into machinery or equipment by a manufacturer or distributor, that functions only to identify or advertise the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps.

Maintenance as applied to a sign structure or a sign means the replacing, repairing or repainting of a portion of sign structure, periodically changing changeable copy or renewing copy, which has been made unusable by ordinary wear.

Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign means any sign attached to a marquee.

Monument sign means an on-site, permanent, freestanding sign mounted on a base or other supports and where the bottom of the sign face is located within three (3) feet of ground level.

Nameplate sign or occupant identification sign means a sign that functions to identify the name and/or profession or address of a person or persons residing on the premises or legally occupying the premises.

Noncommercial message means any message which is not a commercial message.

Noncommercial on-site directional sign means an on-site sign that functions to provide direction or information to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message, e.g., "entrance," "exit," "caution," "handicap parking," "no parking," "one way only," "no trespassing," and the like.

Nonconforming sign means a sign which was lawfully erected, but which does not conform to the regulations provided in this [Article 16](#).

Off-premises advertising sign or off-site advertising sign means any sign displaying a commercial message relating in its subject matter to commodities, accommodations, services or activities on a premises other than the premises on which the sign is located.

On-premises sign or on-site sign means any sign relating in its subject matter to the commodities, accommodations, service or activities on the premises on which the sign is located.

Ornamental flag means any fabric or similar material containing patterns, drawings or symbols used for decorative purposes and designed to be flown as a flag.

Parcel means land which has been or which is proposed to be used, developed, or built upon as a unit under single ownership.

Parapet means a false front or wall extension above the roofline of a building.

Pennant means any series of small flag-like or streamer-like pieces of cloth, plastic, paper or similar material attached in a row to any staff, cord, building, or at only one or two edges, the remainder hanging loosely.

Permanent sign means any sign or sign structure that, when installed, is intended for permanent use. For the purposes of this Article 16 any sign or sign structure with an intended use in excess of twelve (12) months from the date of installation shall be deemed a permanent sign.

Pole sign means an on-site, permanent, freestanding sign that is mounted on a pole(s) or other support(s) that is placed on and anchored in the ground or on a base and that is independent from any building or other structure.

Portable sign means any sign, banner, or poster that is not permanently attached to the ground or structure. For purposes of this Article 16, a cold air inflatable sign shall be considered to be a portable sign.

Premises means any property owned, leased or controlled by the person actively engaged in business at that location.

Prohibited vehicle sign means any sign or signs where the total sign area covers more than ten square feet per side of the vehicle, when the vehicle is not "regularly used in the conduct of the business or activity" advertised on the vehicle, and (a) is visible from a street right-of-way within one hundred feet of the vehicle, and (b) is parked for more than two consecutive hours within one hundred feet of any street right-of-way. A vehicle shall not be considered "regularly used in the conduct of the business or activity" if the vehicle is used primarily (i) for advertising, (ii) for the purpose of advertising, or (iii) for the purpose of providing owners or employees transportation unrelated to the day-to-day operation of the business or activity advertised on the vehicle.

Projecting sign means any sign affixed perpendicularly to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

Real estate sign means a sign that functions to advertise and identify the sale, rental or lease of the premises or part of the premises on which the sign is displayed temporarily.

Revolving sign or rotating sign means any sign that revolves or rotates.

Rider means an additional sign not exceeding one square-foot in size, attached to a temporary real estate sign, and that functions to advertise and identify some special circumstance or additional information pertaining to the real property (e.g., "reduced price," "waterfront lot," etc.).

Roof sign means any sign erected and constructed wholly on or over the roof of a building, which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building.

Roofline means the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridgeline or the highest line common to one or more principal slopes of roof. On a flat roof, the roofline is the highest continuous line of a roof or parapet, whichever is higher.

Safety sign see *Warning sign*.

Sandwich board sign means a temporary portable double-faced, freestanding sign.

Sight visibility triangle means a triangular shaped portion of land established at street intersections or street and driveway intersections in which nothing is erected, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. For street intersections, this triangle is measured thirty (30) feet in length from the intersection along the abutting right-of-way lines to form a triangle; and for driveway intersections, this triangle is measured ten (10) feet from the intersection along the right-of-way line and along the driveway line to form a triangle.

Sign means any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public. The term "sign" includes sign structure. The following shall not be considered signs subject to the regulations of this Article: official markers, artwork, holiday or seasonal decorations, cemetery markers, machinery or equipment signs, memorial signs or tablets.

Sign area means the total square foot area of sign surface, including all parts thereof devoted to the background, computed by bounding the exterior of the sign structure or surface with a series of straight or curved lines tangent thereto (see illustrative examples referenced in [Section 16.01.01](#)). The area of a sign painted directly on a wall or awning and signs with letters attached directly to walls or awnings shall be calculated by constructing an imaginary series of straight lines or lines formed, bounded or characterized by curves around the outside of all elements of the sign.

Sign face means the part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation, which attracts or intends to attract the attention of the public for any purpose. An enclosed part of a sign shall be part of the sign face regardless of whether the enclosure is used for display of any type of communication.

Sign structure means any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure.

Snipe sign (bandit sign) means any sign tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, or fences, with the message appearing thereon not applicable to the present use of the premises upon which the sign is located.

Special event sign means a content-neutral on-premises sign that functions to provide notice of, or direction to, an event, gathering, assembly or meeting. A special event sign may include inflatable signs, i.e., balloon signs.

Statutory sign means a sign required by any statute or regulation of the State of Florida or the United States.

Street address sign means any sign that functions to denote the street address of the premises on which it is attached or located.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

Substantial improvement shall mean any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure, either: (1) Before the improvement or repair is started; or (2) If the structure has been damaged and is being restored as before the damage occurred.

Traffic Control Device sign means any sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National Standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

Vehicle means a machine propelled or towed by power, other than human power, designed to travel in air or water or on land and to transport persons or property or to pull machinery and shall include without limitation automobile, truck, trailer, recreational craft, semitrailer, truck tractor and semi-trailer combination, motorcycle, tractor, watercraft, aircraft, buggy or wagon.

Visibility triangle see *Sight visibility triangle*.

Wall sign means a sign which is fastened to, mounted on, or erected against the wall or facade of a building with its face in a parallel plane with the plane of the building facade or wall, which is used for advertising. A wall sign also includes an attached sign.

Warning sign or safety sign means a sign that functions to provide a warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that provides warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.).

Window sign means any sign mounted in any fashion on the interior or exterior of the surface of a window.

Wind sign means a sign, which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include banners, pennants, ribbons, spinners, streamers or captive balloons; however, the term wind sign shall not include flags or feather flags.

(Ord. No. 2011-01, § 1, 6-6-11; Ord. No. 2013-07, § I, 8-5-13; Ord. No. 2019-10, § I, 6-3-19)



City of Mary Esther
Code Compliance Department
195 N. Christobal Road
Mary Esther, FL 32569
Phone: (850) 243-3566 Ext.3
Email: code@cityofmaryesther.com

OFFICE USE ONLY

Date Received: _____

By: _____

Tracking # _____

BUILDING PERMIT APPLICATION

January 2021

JOBSITE INFORMATION	
Jobsite Address:	Mary Esther, FL 32569
Parcel Number: - - - - -	☐ Residential ☐ Commercial
Scope of Work: _____	
Total Job Cost/Contract Amount (Full Retail Value For Labor, Materials, Etc.) \$	
PROPERTY OWNER INFORMATION	
Owner Name:	Address:
Email:	Phone:
APPLICANT INFORMATION	
Applicant Name:	Company:
Email:	Phone:
PRIMARY / GENERAL CONTRACTOR INFORMATION	
Business Name:	Owner Name:
Phone Number:	Email:
Mailing Address:	
List All Currently Held State and County Construction Licenses Type and Number:	
SUB-CONTRACTORS	
Electrical Contractor:	
Phone Number:	Email:
Mailing Address:	
State/County License Number:	
Plumbing Contractor:	
Phone Number:	Email:
Mailing Address:	
State/County License Number:	
Mechanical Contractor:	
Phone Number:	Email:
Mailing Address:	
State/County License Number:	
Other Contractor:	
Phone Number:	Email:
Mailing Address:	
State/County License Number:	
Engineer/Architect:	
Phone Number:	Email:
Mailing Address:	
State License Number:	

Permitting and Plan Submittal Requirements: In addition to applying with the City of Mary Esther, you may be required to apply with Okaloosa County Department of Growth Management, Florida Department of Environmental Protection, North West Florida Water Management District Environmental Resource Permitting, Army Core of Engineers, or other respective agencies. A City permit guide is available for most types of scope of work. Please review the guide that applies to your project for a comprehensive list of required items to be submitted along with your permit application. Permits solely for electrical, mechanical, plumbing, irrigation, windows, doors and siding are processed by Okaloosa County Department of Growth Management, 1250 N. Eglin Pkwy, Suite 301, Shalimar, FL 32579 (850) 651-7180. All engineered plans and certified surveys must be originals, have the proper seal and be wet signed. Copies and printed signatures are not accepted. 3 sets are required. In addition to a City permit, an Okaloosa County permit is also required for the following work including but not limited to: roofing, re-roofs, docks, boathouses, additions, residential and commercial structures, carports, accessory structures over 200 SQFT, in-ground swimming pools, full remodel, telecommunications, etc.

There are some properties that may have deed restrictions, property restrictions or easements recorded upon them. These restrictions may limit or prohibit the work applied for in your building permit application. A search of the public records shall be done by the surveyor. All surveys must show any restrictions and easements or state that there are none of record.

Warning/Notice to Owner: Your failure to record a Notice of Commencement may result in your paying twice for improvements to your property. A Notice of Commencement must be recorded with the Okaloosa County Clerk of Court and posted on the job site before the first inspection. If you intend to obtain financing, consult with your lender or an attorney before commencing work or recording your Notice of Commencement. If you are applying to perform the work or installation yourself as the property owner, you must also complete an Owner/Builder Affidavit Form and submit it with the application.

Notice to Contractor: In accordance with City of Mary Esther Code of Ordinance Chapter 13 and Florida Statutes 489.127, all contractors, whether State licensed or not, must register with the City of Mary Esther prior to performing any work or providing any service within the City limits. This applies regardless if a permit is required for the scope of work by the City, County or other entity. Please contact 850-243-3566 Ext.10 or licenses@cityofmaryesther.com to register.

Owner/Contractor Affidavit: Application is hereby made to obtain a permit to do the work and installations as indicated herein. I certify that no work or installation has commenced prior to the issuance of a development order or permit(s) OR that I have notified the Department if work has commenced without the required development order or permit(s). In consideration of the granting of this requested permit, I do hereby agree that I will, in all respects, perform the work in accordance with the approved plans, the 2020 Florida Building Code 7th Edition, City Code of Ordinances and Land Development Code, 2020 Florida Fire Prevention Code 7th Edition and all other respective codes and their current editions, and that no deviations to the approved scope of work and plans will be made without the express permission of the City.

Under the penalty of perjury, I certify that all the foregoing information is true and accurate and that all work will be done in compliance with all applicable laws regulating construction, land development, contractor licensing and registration, and zoning. Falsified construction costs will subject your permit fees to be doubled and may result in revocation of your contractor registration.

DO NOT SIGN BELOW UNLESS IN THE PRESENCE OF AND WITNESSED BY A NOTARY PUBLIC. IF SIGNING AS AN EMPLOYEE OR AGENT OF THE CONTRACTOR, YOU WILL NEED TO BE LISTED AS AN APPROVED SIGNATORY BY THE CONTRACTOR BY PROVING A NOTARIZED LETTER FROM THE CONTRACTOR LISTING YOU AS AN AUTHORIZED SIGNER FOR PERMITS.

_____	_____	_____
Print Name	Signature	Date

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence OR ☐ online notarization this _____ day of _____, 20_____, by _____.

____ Personally Known OR ____ Produced Identification

Type of Identification Produced _____

Notary Public

- Division I contractors *may do structural work for Docks, Seawalls, and Boat Houses* but are required to carry the Longshoremen's and Harbor Worker's Compensation Insurance Rider and provide proof of such coverage {Florida Administrative Code - 61G4-15.033(3)}.

DIVISION - II - Electrical, Trade, and Specialty Contractors

{¶489.505, ¶489.105(3)(d-q), and Sarasota County Ordinance 2002-079, Section 22-112(D, E, & F)}

MASTER ELECTRICAL CONTRACTOR (State-EC and Local-ER License) {¶489.505(12)}

Unlimited in the electrical trade. An EC license holder may also do alarms and electric advertising signs. An ER license holder *cannot* do alarms.

LIMITED ENERGY SYSTEMS (State- LES License Only) {Florida Administrative Code - ¶61G6-7.001(4)}

Limited to the installation, repair or design of electrical wiring, fixtures, appliances, thermostats and fiber optics not exceeding **77 volts**. This also includes transmitting data, proprietary video (satellite systems), radio frequency, central vacuum, electric locks, data distribution networks, home theater systems, surround sound systems, public address or telephone systems.

SIGN SPECIALTY ELECTRICAL CONTRACTOR (State-ES, Local-ET License) {Florida Administrative Code - ¶61G6-7.001(2)}

Includes the structural fabrication including concrete foundation, erection, installation, alteration, repair, service and wiring of electrical signs and outline lighting and connection to the last electrical disconnect or terminal point.

ALARM SYSTEM CONTRACTOR I (State License Only) {¶489.505(2)(a)}

Includes all types of alarms for all purposes.

ALARM SYSTEM CONTRACTOR II (State License Only) {¶489.505(2)(b)}

Includes all types of alarms for all purposes **but does not include fire alarms**.

CLASS "A" AIR-CONDITIONING CONTR. (State-CA and Local-RA License - Class A) {¶489.105(3)(f)}

Unlimited in the air-conditioning, refrigeration, heating, and venting trade including boilers and stove hoods. Includes duct work and control wiring associated with those systems and connection to an existing power disconnect. Can connect and disconnect gas appliances. Also includes pressure, process and pneumatic control piping.

CLASS "B" AIR-CONDITIONING CONTR. (State-CA and Local-RA License - Class B) {¶489.105(3)(g)}

Limited in the air-conditioning, refrigeration, heating, and venting trade (including stove hoods) to 25 tons of cooling and 500,000 BTU of heating in any one system. Includes duct work and control wiring associated with those systems and connection to an existing power disconnect. Can connect & disconnect gas appliances.

CLASS "C" AIR-CONDITIONING CONTR. (State-CA and Local-RA License - Class C) {¶489.105(3)(h)}

WHAT EACH LICENSE TYPE CAN DO (Abbreviated)

DIVISION - I - General, Building, and Residential Contractors:

F.S. 489.105(3)(a, b, & c) and Sarasota County Ordinance 2002-079, Section 22-112(D)(1, 2, & 3)

GENERAL CONTRACTOR (State-CG and Local-RG License) {¶489.105(3)(a)}

The General Contractor (also called "Class A") is unlimited in scope of (*structural*) work that may be performed. Certified "A" contractors may also do any *underground utilities* work (up to the meter), any *excavation* or *site preparation* work. A general contractor shall not be required to subcontract **structural** swimming pool work. All other swimming pool work shall be subcontracted to an appropriately licensed certified or registered swimming pool contractor.

BUILDING CONTRACTOR (State-CB and Local-RB License) {¶489.105(3)(b)}

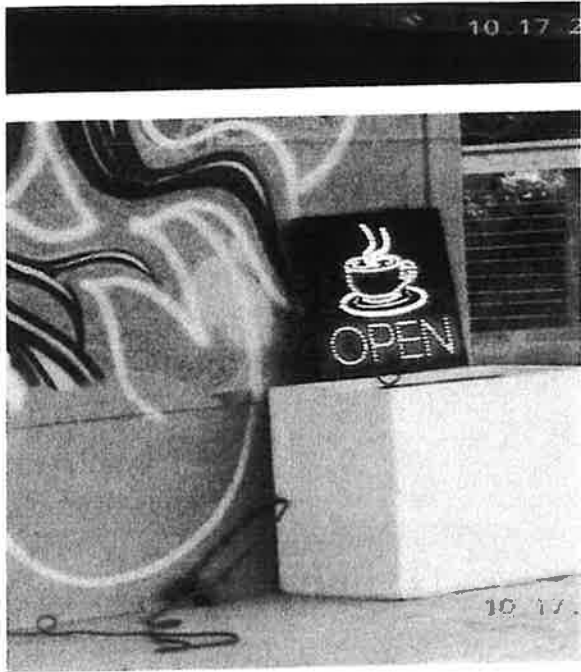
The Building Contractor (also called "Class B") is limited to commercial and residential buildings *not exceeding 3 stories* and associated accessory structures. They may also do *non-structural* repair or improvement of any size building. Certified "B" contractors may also do *excavation* and *site work*, limited to the lot on which any specific building is located. Cannot do structural swimming pool work.

RESIDENTIAL CONTRACTOR (State-CR and Local-RR License) {¶489.105(3)(c)}

The Residential Contractor (also called "Class C") is limited to *one, two, or three-family residences not exceeding two stories over one additional non-habitable story* and associated accessory structures. Certified "C" contractors may also do *excavation* and *site work*, limited to the lot on which any specific building is located. Cannot do structural swimming pool work.

Special Notes for Division I Contractors

- *Division I contractors may install (and repair under warranty) **the first conventional shingle or wood shake roof covering** on buildings they construct {¶489.113(3)(b)}. Division I contractors licensed in 1973 and before may act as unlimited roofing contractors {¶489.113(3)(g)}. All other types of roof coverings and all non-structural trade and specialty work must be sub-contracted to contractors licensed in those trade or specialty areas {¶489.113(3)}.*
- *Division I contractors **do not need Aluminum, Masonry, Window-Door, Garage Door, Storm Protection (Shutter), or Building Moving specialty licenses or specialty licensed subs** when performing this work under their own contract and supervision. Work in those categories is included within the scope of their respective licenses for building types included within the scope of their license {¶489.113(3)(a)}.*
- *Division I contractors **do not need a Building Demolition specialty license (or sub)** to take down building types included within the scope of their respective license when performing this work under their own contract and supervision. They must however have a Demolition Insurance Rider on their General Liability Coverage {¶489.113}.*



This is my \$20 open sign. Plugs into a dedicated plug outside. Kelvin says I need a permit and a specialty electrical contractor to install it.



This is plugged in with an extension cord running along the roof line. Attached by a chain on a hook.

Why is this allowed? Plugged into an extension cord.





Why is this sign allowed but - telling people not to block this area.



But directing traffic on the property to help traffic flow is not allowed.

u. Sandwich board signs

Sandwich board sign means a temporary portable double-faced, freestanding sign.



Emerald Coast Animal Hospital



The Barber Galleria has 3 sandwich board signs out front



A Day Away Spa – 425 Hollywood Blvd E



Metro Plus – Piggly Wiggly Plaza



Marines - Piggly Wiggly Plaza



Little Caesars - Piggly Wiggly Plaza



Piggly Wiggly – two signs



Viamericas – Piggly Wiggly Plaza



Café – Piggly Wiggly Plaza



Sunrise Church – ME Baptist 4 signs



Starbucks

16.03 PROHIBITED SIGNS

a. Billboard means a sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located.



Vape Boardwalk Corner of ME Cutoff and Hollywood – advertising Next Level sign



City Hall and Library – multiple A to Z signs. Why is city hall advertising a business?



Car wash – Mary Esther Cut Off – advertising ADT.

b. Portable signs means any sign, banner or poster that is not permanently attached to the ground or structure. For purposes of this Article 16, a cold air inflatable sign shall be considered to be a portable sign.



124 W Miracle Strip Unit 503



Thrift Store – 351 Mary Esther Blvd, Ste 1 This sign is on wheels and is stored inside every night.



Not only does Forever Lawn have a Bandit sign (Portable sign) but they have (g) Prohibited vehicle sign.

g. Prohibited vehicle signs.

Prohibited vehicle sign means any sign or signs where the total sign area covers more than 10 sq feet per side of the vehicle, when the vehicle is not regularly used in the conduct of the business or activity advertised on the vehicle, and (a) is visible from a street right-of-way within one hundred feet of the vehicle and (b) is parked for more than two consecutive hours within one hundred feet of any street right-of-way. A vehicle shall not be considered “regularly used in the conduct of the business or activity” if the vehicle is used primarily (i) for advertising, (ii) for the purpose of advertising, or (iii) for the purpose of providing owners or employees transportation unrelated to the day-to-day operation of the business or activity advertised on the vehicle.



h. Abandoned and discontinued signs and sign structures.

Abandoned or discontinued sign or sign structure means a sign or sign structure is considered abandoned or discontinued when its owner fails to operate or maintain a sign for a period of six months or longer. The following conditions shall be considered as the failure to operate or maintain a sign: (i) a sign displaying advertising for a product or service which is no longer available or displaying advertising for a business which is no longer licensed, or (ii) a sign which is blank.



New city hall has 4 abandoned signs.

Temporary real estate signs—generally.

(1)

Number. For each parcel, one (1) temporary real estate sign may be displayed on each parcel of land or part thereof that is for sale, lease, or rent; however, when more than one (1) dwelling unit or nonresidential space on a parcel of land is for sale, lease, or rent, there may be one (1) real estate sign for each such unit or space.

(2)

Size. Temporary real estate signs shall not exceed four (4) square feet in sign area.

(3)

Setback. Temporary real estate signs that are freestanding (i) shall be set back at least ten (10) feet from all property lines and must be setback at least ten (10) feet from any curb or, if there is no curb, from the edge of pavement, and (ii) shall not exceed four (4) feet in height.

(4)

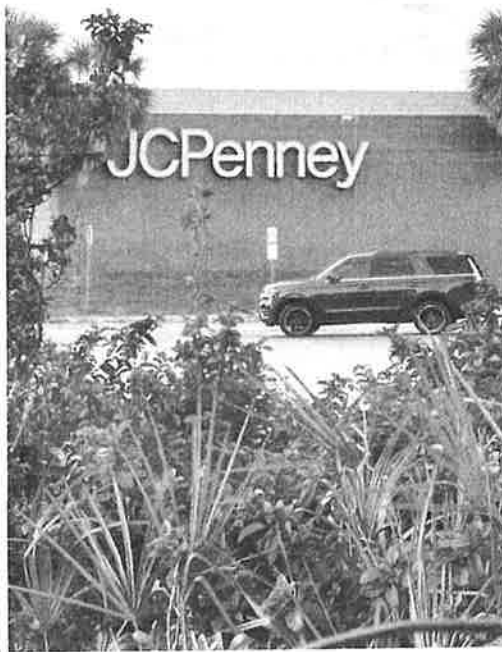
Riders. One (1) rider shall be allowed for real estate signs, and shall not be included in the size limitation; however, a rider shall not exceed one (1) square foot in size.

(5)

Duration. Temporary real estate signs shall be removed within two (2) days following the sale, lease or rent of the real estate that was offered for sale, lease, or rent.



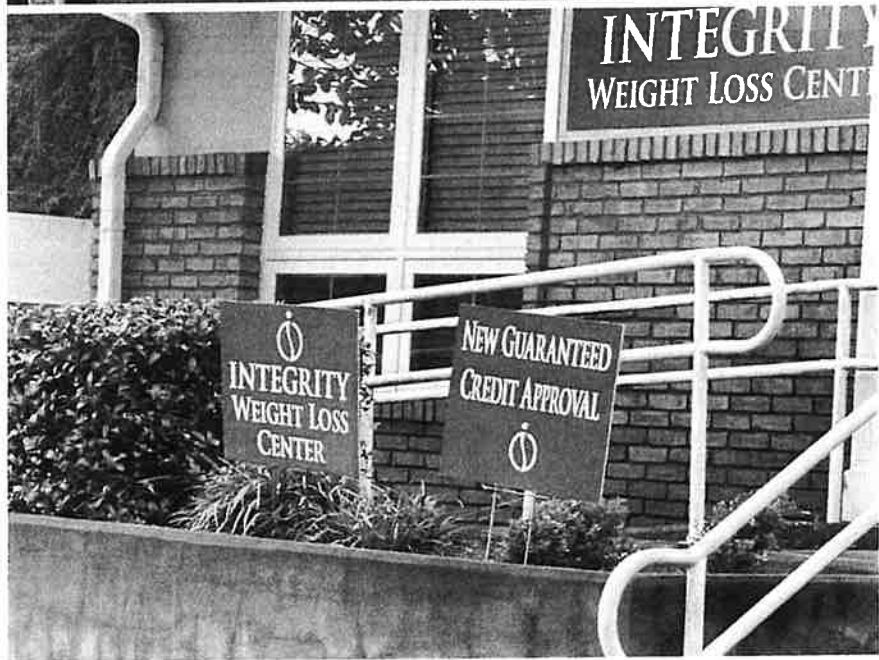
The for sale sign should have been removed 2 days after purchase.





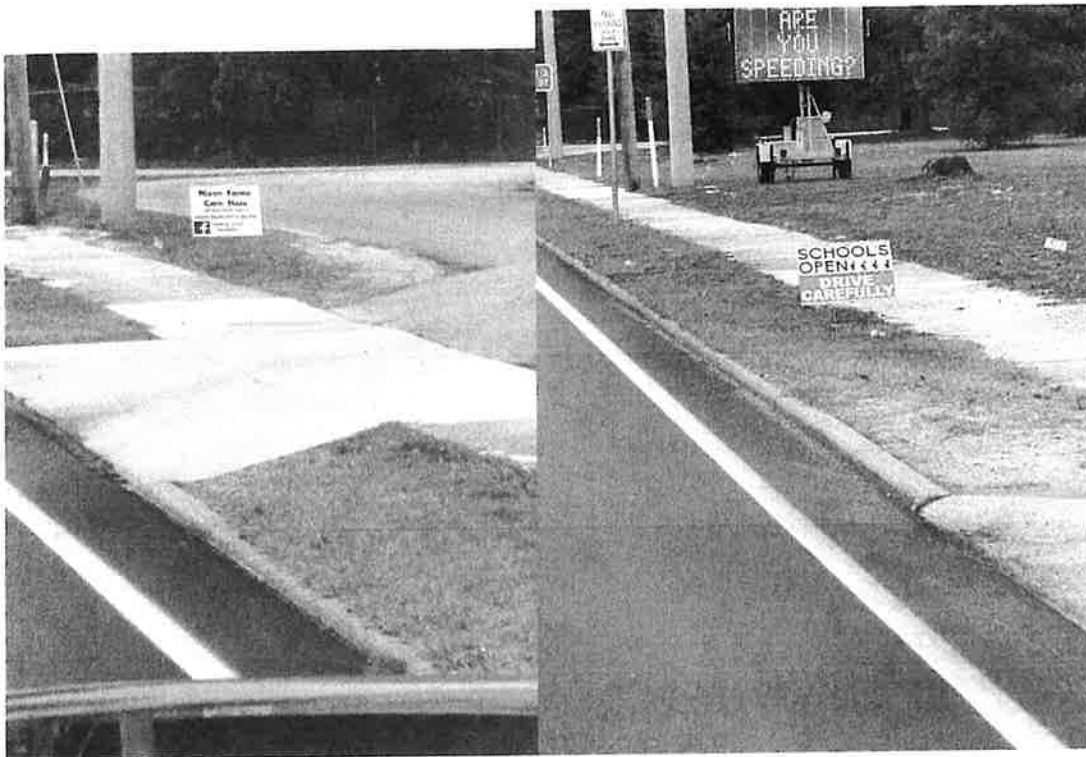
Blank sign face at least 6 months

Bandit/snipe signs









Mary Esther School – Why is a prohibited sign from FWB allowed? – Why is a DCF (Okaloosa County) sign allowed?



The only sign that was removed with in 30 minutes of me notifying Kelvin



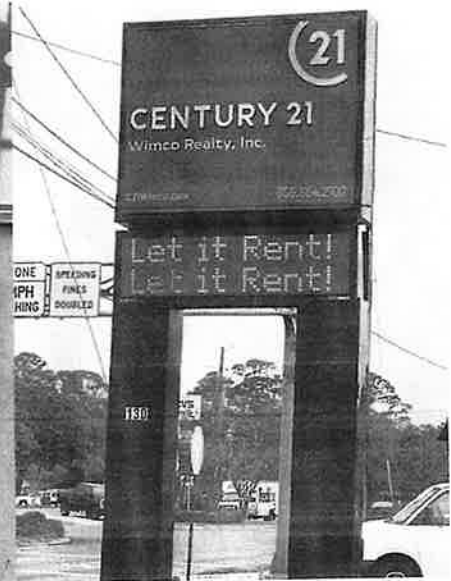


CVS

s. Intermittent signs

Intermittent sign means a sign, which permits light to be turned on or off intermittently more frequently than once per hour. An intermittent sign includes an LED sign and any other electronic variable message sign whereby the message changes more frequently than once every hour.





Abandoned Signs

1. JCPenny
2. Petro Express
3. First Florida Bank (New City Hall – 5)
4. Crystal Shores Realty
5. Gulf Coast Hearing Center
6. Rocco's Seafood
7. Mortgage Co 100% Financing
8. Snappy Photo
9. Jansey's Hair Salon
10. Axis Nutrition Center
11. MJ Tilda's
12. Mall Annex
13. Drapper Cuts
14. Mobile Device Repairs

Billboard Signs

1. City Hall – A to Z
2. Library – A to Z
3. Well 1 – A to Z
4. Boardwalk Vapes – Next Level
5. Car Wash – ADT

Flags 2019-1 One per business

6/2/2019 – One per business Ordinance 2019-10

1. Tuffy's has 4
2. Hair and Nail Spa – W Miracle strip – 3
3. Water Cloud Vapor Lounge – 2
4. FWB Scuba – 1
5. Tattoo Store Hollywood Blvd
6. Barbar shop & Cigars Hollywood Blvd
7. Thrift Store – ME Cutoff
8. Landmark Plaza
9. AT & T
10. Snow Lotus Massage
11. Boardwalk Vapes (2)
12. Total Laundry (2)

Portable Signs

1. Renaissance Apartments
2. Khun Nue Alterations #19
3. Christmas Lights Installed (Multiple throughout city)
4. McDonalds – Curbside Pick up (3)
5. Encore Consignment
6. Stitchers Quest
7. Self Storage (3)
8. EFCU (Toys for Tots – 3)
9. Navy CU (Toys for Tots – 2)
10. A to Z – live nativity sign
11. Murphy's gas (3)

12. Taco Bell (1)
13. 144 ME Cutoff - For Rent (2)
14. Nailed to pole corner of Hollywood & ME Cutoff Pointer

Pups

15. JP Home Services (All over town)
16. Zattitude Apartments (All over town)
17. Ashchelon Accounting (All over town)
18. Mattress World (All over town)
19. 1800 got junk
20. CVS
21. 1st Choice (nailed to pole Tuffy's) All over town
22. King George
23. MVMT Institute of Message
24. DIVORCE – All over ME Cutoff
25. Wendy's
26. Live Oak
27. We buy houses
28. Wanted Houses
29. DCF Exams
30. Integrity Weight Loss
31. T-5 Brothers
32. 130 W Miracle Strip – Toys for tots
33. AKC German Shepherd pups
34. Fazolis
35. FNBT
36. AT&T Fiber
37. Burger King Pole So old can't read
38. Berry's Well Drilling

39. Forever Lawn
40. Okaloosa Yummy
41. ABHA – Welcome Sign
42. Allied Marketing
43. Gentiva Hospice
44. Mixon Farms Corn Mase
45. Schools Open (ME Elementary)
46. SchoolStore (ME Elementary)
47. City of FWB Recreation Center
48. Richard Lawson (Was only sign removed within 30 minutes)
49. Ginny's (same as me)

Sandwich Board

1. Starbucks
2. Barber Galleria (3)
3. Message School
4. Piggly Wiggly
5. Metro T-Mobile
6. Viamericas
7. Little Ceasars
8. Drink shop next to Little Ceasars
9. Armed Forces Career Center
10. Emerald Coast Animal

Intermittent Signs

Intermittent sign means a sign which permits light to be turned on or off intermittently more frequently than once an hour. An intermittent sign includes an LED sign and any other electronic variable message sign whereby the message changes more frequently than once every hour.

1. City Hall/Library Sign
2. Board Walk Vapes - inside
3. Simply Vapor - inside
4. Kitchen & Bath Design
5. Pawn Shop
6. Cenrtruy 21
7. El Paso
8. Benjarong
9. Buff City Soap

Real Estate Sign

1. New City Hall
Should have been removed 2 days after sale