

MEMORANDUM

To: Joseph Geller, City Attorney
City of North Miami Beach

From: Morris G. (Skip) Miller

Date: Wednesday, March 18, 2026

Re: Revisions to City of North Miami Beach Sign Code

Per your request, attached are proposed revisions to Section 24-147.2(D) relating to Political Signs. These revisions conform the City's Sign Code to the Sign Code of the City of Aventura in the following respects:

1. We have added an exemption from the bond requirement for a candidate who posts fewer than four (4) signs of not-to-exceed size;
2. We have reduced the number of days after an election to remove political signs from ten days to seven days; and
3. We have increased the required bond from \$250 to \$500.

Please note that while sign ordinances can regulate matters such as size, location and material, in general they cannot treat types of non-commercial signs differently based on their content. The City's Sign Code in its current form is similar to many other local sign codes in Florida in this regard, and while we can give no assurance that the City's Sign Code will not be challenged in court, there is nothing in these proposed changes that decreases the City's likelihood of prevailing in the event of such a challenge. See the attached memo dated July 20, 2016 from then-City Attorney Jose Smith, and Reed v. Town of Gilbert, 576 U.S. 155 (2015), the United States Supreme Court case referenced therein.

To avoid such litigation in the future, the City may wish to make more wholesale changes to its Sign Code so that it does not impermissibly differentiate between different types of non-commercial signs based on their content.

Please let me know if you have any questions.