

## Scenic Watch



July  
2016

## Legal News in CA: Appeals Court Ruling Cities Can Ban Mobile Billboards



Photo:PublicCEO.com



## Fun Festivals and Events

### Central and West

Aug 4  
Shrimp and Seafood Festival, New  
Smyrna Beach  
Aug 6  
Art Walk on Flagler, New Smyrna  
Beach  
Aug 5  
Jazz Friday at Foosaner Museum of  
Art, Melbourne  
Aug 5, 6  
Sizzling Summer Artwalk,  
Bradenton  
Aug 6  
St Pete Indie Market, St



Photo: Banbillboardblight.org on SCVNEWS.COM

"The 9th Circuit Court of Appeals ruled Thursday that municipal ordinances banning mobile billboards do not violate the First Amendment.

Santa Clarita and three other defendant cities - Los Angeles, Rancho Cucamonga and Loma Linda - were vindicated by a three-judge panel that upheld an earlier district court ruling...

The Legislature enacted laws between 2010 and 2012 that allowed cities to regulate mobile billboards on grounds they create blight, endanger motorists and pedestrians, and reduce available on-street parking. The four cities subsequently banned them.

Mobile billboard owners Lone Star Security & Video Inc. and Sami Ammari sued on grounds that barring them from using the boards to advertise their security business and political causes infringed on their free-speech rights.

The court disagreed, saying the ordinances were narrowly tailored to serve the governments' 'aesthetic and safety interests,' and that the plaintiffs have other

Petersburg  
 Aug 6  
 First Saturday Jam, Barberville  
 Aug 5-6, 12-13, 19-20, 26-27  
 Bandshell Concert Series, Daytona Beach  
 Aug 13, 27  
 Gamble Jam, Flagler Beach  
 Aug 13  
 Friday Fest, Melbourne  
 Aug 13-14  
 Annual Harvest Grape Stomp, Clermont  
 Aug 14-16  
 Anime Festival Orlando, Orlando  
 Aug 18  
 Climb to the Moon, Ponce Inlet  
 Aug 20  
 Cruisin' Downtown DeLand Classic Car Show, DeLand  
 Aug 20  
 Art Walk, Sanford  
 Aug 25-28  
 80s in the Park, Melbourne  
 Aug 26  
 Night in the Tropics, New Port Richey  
 Aug 27  
 Mixon Fruit Farms Antiques, Arts and Crafts Fair, Bradenton  
 Aug 27  
 Wine Walk & Art Walk, New Smyrna Beach

## South

Aug 3, 10, 17, 24, 31  
 Jupiter Lighthouse Sunset Tour, Jupiter  
 Aug 11-16  
 Key West Lobsterfest, Key West  
 Aug 5, 12, 19, 26  
 Funtastic Friday, Hollywood Beach  
 Aug 6, 13, 20, 27  
 Third Street Farmers Market, Naples  
 Aug 7  
 Sunday Jazz Brunch, Fort Lauderdale  
 Aug 8, 12, 13, 15, 19, 20, 22, 26, 29, 31  
 Tours of the Tom Allen Memorial Butterfly House, Cape Coral  
 Aug 14, 21  
 Bluegrass Concert, North Palm Beach  
 Aug 18  
 Downtown Gallery Walk, Punta Gorda  
 Aug 20  
 Third Thursday Art Walk, Islamorada  
 Aug 5-7  
 Florida Keys Guitar Festival  
 Key West

## North

July 23-Aug 28  
 Nature and Wildlife Exhibit, St Augustine

communication options."

-- SCVNEWS.COM

[Read .pdf of the ruling and the entire article here](#)

[Read additional article here](#)

Palm Bay, FL:

"Landlord forces Palm Bay shop owner to remove flags supporting law enforcement"



Photo:WFTV

"The owner of Liberty Firearms and Survival in Palm Bay put up flags and signs supporting law enforcement after the tragic Dallas shootings happened.

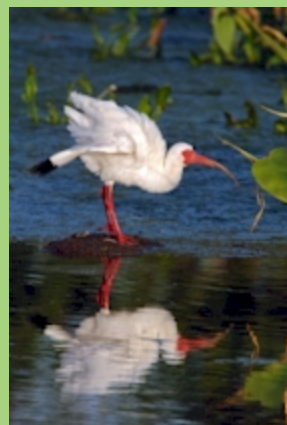
However, the landlord of the commercial space, Miami-based Gator Investments, brought a police escort and forced the owner to remove the flags that were next to a sign with a blue line. The reasoning behind the company's demands is unclear.

Ben Teaford, Liberty's owner, said his lease permits putting up signs by the road to support his business, and does not know why he is not allowed to put up flags of support for the police.

'I was enraged that I can't support something that our business believes in,' Teaford, Channel 9's Field Sutton

- Aug 3  
Archaeological Tour of Mission San Luis, Tallahassee  
Aug 3, 10, 17, 24, 31  
Music by the Sea, St Augustine Beach
- Aug 4, 11, 18, 25  
Concerts In The Plaza, St Augustine
- Aug 4, 11, 18, 25  
Americana Under the Stars, Santa Rosa Beach
- Aug 5  
First Friday Art Walk, St Augustine
- Aug 6  
Sandstock, Perdido Key
- Aug 6  
Guided Tour at Kanapaha Botanical Gardens, Gainesville
- Aug 6  
Funday and Possum Festival, Wausau
- Aug 6-7  
First Weekend Union Garrison, Fernandina Beach
- Aug 10, 11, 16, 17, 18, 30  
Blue Angels practice, Pensacola
- Aug 12-14  
Caribbean Parade and Festival, Jacksonville
- Aug 13  
Artrageous Artwalk, Fernandina Beach
- Aug 25  
National Park Service's Birthday, St Augustine
- Aug 18  
Sunset/Moonrise at the St Augustine Lighthouse, St Augustine
- Aug 26  
River Rhythms, Ocala

[For many more events and details please visit the Orlando Times Travel Calendar here](#)



on Thursday.

Teaford said he put out the flags on Monday, and his landlord demanded the flags be removed Wednesday afternoon...

'[My company wants] the flags down,' an unidentified representative of Gator Investments told a Palm Bay 911 operator over the phone Wednesday. 'They're asking that I meet a police officer out there and try to have them work something out to have them taken down.'

'A company representative for Gator Investments told Eyewitness News the company was still formulating a response to questions over the flags' removal...'

-- Field Sutton, WFTV

[Read entire article here](#)

Palmetto, FL:

"Battle brewing in Palmetto over business advertising flags"



Photo: WFLA

"The City of Palmetto is spending thousands of your tax dollars on a new code enforcement crackdown against flags, a move six merchants insist is driving them out of business.

'I think it's silly,' said Jeanine Pease, who owns the Vapin Lizards store.

'The country's gone totally crazy,' added Howard Mexico, who owns the Backdoor Thrift Store.

Both businesses are located on 8th Avenue West, which is Palmetto's version of Main Street.

Palmetto's assistant city clerk estimates the city's two code inspectors spent about 10 percent of their time, or roughly \$12,000 in taxpayer money, regulating temporary signage such as banners that fly in front of the businesses owned by Pease, Mexico and at least four other downtown businesses.

'It's a health and safety issue for us,' Palmetto City Attorney Mark Barnebey said. 'We're going to be very sensitive to that.'

Barnebey insists the banners can obstruct the view of motorists and harm pedestrians if they collapse on the sidewalks of the city's downtown business district. Barnebey couldn't cite even a single instance where the banners have caused a crash or impaled a passerby, but says she's personally seen the flags drooping in harm's way.

'I don't want to wait until something happens for it to be a serious problem for the city,' she said.

Half a dozen merchants insist the city's taxpayer-funded crackdown is already a serious problem for them, and most say they'll have to shutter their doors if they can't fly banners to attract customers. 'They can't see my business,' Mexico said.

Whatever the case, battle lines are drawn with local florist Jamie Wilson already discussing a possible lawsuit with his lawyer. Wilson thinks the city has singled out his business for regulation because he's gay. 'Yes, absolutely,' he said.

A court fight could ring up the bill on taxpayers even further, and the loss of revenue from closed business won't help the city treasury at all.

Palmetto Mayor Shirley Groover Bryant is a lifelong



resident of the river city in Manatee County. She insists there is no taxpayer-funded campaign to drive local merchants out of business with zealous enforcement of the city's temporary sign ordinance..."

-- Mark Douglas, WFLA

[Visit WFLA for the entire coverage](#)

Wilton Manors, FL:  
Commission extends ordinance on temporary signs""



Photo: Wilton Manors Gazette, SFGN.com

"The city's temporary allowance of banners and feather flags seems to have become permanent.

At their April 12 meeting, commissioners approved an extension of the ordinance that allows business owners located on commercial corridors to display a banner or feather flag. The extension ends on Dec. 31, 2017.

Business owners can only display a banner or flag if the rest of their property is up to code. According to city officials, 90 businesses kept flags and banners up after the expiration but said businesses would not be fined for violating the ordinance.

Originally, the commission voted to approve the temporary flags in June of 2012. Since then, the ordinance has been extended three times. It expired in

December of 2015. The issue came up again in March when Mayor Gary Resnick wanted to crack down on businesses that were still displaying flags and banners after the ordinance expired.

In particular, he cited Oakland Park Boulevard as having too many banners. He called it 'eye pollution' and said it made a mockery of the city's 'Life's Just Better Here' tagline. 'We take a lot of pride in Wilton Manors, but when you drive into Wilton Manors from I-95 it doesn't look good.'

Commissioner Justin Flippen said a crackdown wouldn't 'send the right message to the business community.'

Commissioner Tom Green said the flags and banners help businesses and are especially needed on Oakland Park Boulevard. 'I have no problem. I honestly think it's a good thing,' said Vice Mayor Scott Newton."

-- Michael d'Oliveira, Wilton Manors Gazette, SFGN.com

[Read entire article here](#)

