

[Sec. 74-1. - Definitions.](#)

[Sec. 74-2. - Purpose and findings.](#)

[Sec. 74-3. - Exemptions.](#)

[Sec. 74-4. - Prohibited signs.](#)

[Sec. 74-5. - Enforcement and penalties.](#)

[Secs. 74-6—74-28. - Reserved.](#)

Sec. 74-1. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Aggregate sign area means the area of all signs on a parcel, excluding the area of one face of all double-faced signs.

Animated sign means a sign with action, motion, or changing colors that requires electrical energy. The term "animated sign" does not include signs that indicate only time, temperature, date, or any combination thereof.

Area of a sign or sign area means the smallest square, rectangle, triangle, circle, or combination thereof, which encompasses one face of the entire sign, inclusive of any border and trim, but excluding the base, apron, supports, and other structural members.

Awning sign means a sign located on a roof-like cover extending before a place as a shelter and which may be used in lieu of a wall sign.

Billboard sign means any sign with a sign area exceeding 300 square feet.

Double-faced sign means a sign which has two display areas placed back to back against each other or where the interior angle formed by the display areas is 60 degrees or less, where one face is designed to be seen from one direction and the other face from another direction.

Freestanding sign means a sign securely affixed to a support structure which is permanently attached to the ground and wholly independent of any building for support, such as monument or stanchion signs.

Hanging/shingle-type signs means signs which hang over the entrance to a business and which are perpendicular to the building face.

Illuminated sign means a sign that has light cast upon the sign from a source either internal to the sign or from an external light source directed primarily toward such sign.

Monument sign means a freestanding sign mounted directly upon the ground. Such sign may not be attached to or be a part of or supported by the building in or to which the sign applies.

Nonconforming sign means any sign that does not conform to the provisions of this article that was legal at the time of its erection.

Parcel means a separate tax unit of real property on county real estate records.

Roof sign means a sign attached to or supported by the roof of a building that extends above the immediately adjacent roofline of the building.

Sign means a device or representation for visual communication that is used for the purpose of bringing the subject thereof to the attention of others.

Stanchion sign means a freestanding sign mounted on one or more steel poles set in the ground and of sufficient strength and size to support the advertisement portion of such structure that rests upon or is supported by such poles.

Temporary sign means a sign of a nonpermanent nature. All such signs shall be removed within ten days after the purpose for which the sign is intended to advertise has been accomplished.

Wall sign means a sign fastened, placed, or painted upon or parallel to the exterior wall of the structure itself, whether front, rear, or side of the structure.

Window sign means a sign installed flush with or on a window and intended to be viewed from the outside.

(Code 1986, § 5-172; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-2. - Purpose and findings.

Signs provide an important medium through which individuals may convey a variety of messages. However, left completely unregulated, signs can become a threat to public safety as a traffic hazard and detriment to property values and the city's overall public welfare as an aesthetic nuisance. By enacting this article, the city council intends to:

- (1) Balance the rights of individuals to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs;
- (2) Protect the public health, safety, and welfare;
- (3) Reduce traffic and pedestrian hazards;
- (4) Maintain the historical image of the city;
- (5) Protect property values by minimizing the possible adverse effects and visual blight caused by signs;

(6) Promote economic development; and

(7) Ensure the fair and consistent enforcement of sign regulations.

(Code 1986, § 5-171; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-3. - Exemptions.

(a) Signs erected by a public officer in the performance of his duties, including, but not limited to, public notices, safety signs, danger signs, traffic and street signs, memorial plaques, and historical markers, shall be exempt from the provisions of this article.

(b) The following types of signs shall be exempt from the permit requirements of [section 74-49](#) and shall not count towards the maximum aggregate sign area limits provided in subsection [74-85\(g\)](#):

(1) Window signs installed for purposes of viewing from outside the premises. However, such signs shall not exceed 30 percent of the available window space.

(2) Numerals displayed for the purpose of identifying the property.

(3) Seasonal displays located outside of the public right-of-way that are erected for a maximum period of 30 days, no more than twice a year.

(4) Political signs.

(5) Real estate signs advertising the sale, rental, or lease of the land or building upon which such sign is located.

(6) Signs located on the premises in conjunction with active construction or property improvement projects.

(7) Memorial signs or tablets, including names of buildings and dates of erection of buildings cut into masonry, bronze, or similar materials.

(c) Every parcel may display no more than two flags that shall not count toward the maximum aggregate sign area limits provided in subsection [74-85\(g\)](#) without obtaining a permit. Flagpoles in residential zoned districts, shall not exceed 25 feet in height or the height of the primary structure, whichever is less. Flagpoles in commercial or industrial zoned districts shall not exceed 60 feet in height or the height of the primary structure whichever is less. The dimensions of any flag shall be proportional to the flagpole height such that the hoist side of the flag shall not exceed 50 percent of the vertical height.

(Code 1986, § 5-188; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-4. - Prohibited signs.

The following types of signs are prohibited throughout the city:

(1) Roof signs.

- (2) Animated signs.
- (3) Signs on public rights-of-way other than publicly owned or maintained signs.
- (4) Window signs which exceed 30 percent of the window area.
- (5) Signs that contain words, pictures, or statements that are obscene, as defined by O.C.G.A. § 16-12-80.
- (6) Signs that simulate an official traffic control or warning sign or hides from view any traffic or street sign, signal, or public service sign.
- (7) Signs that emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing.
- (8) Signs which interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.
- (9) Signs erected by nailing, fastening, or affixing the sign in any manner to any tree, post, curve, utility pole, or other structure except as set forth herein.

(Code 1986, § 5-179; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-5. - Enforcement and penalties.

- (a) All signs shall be maintained in good condition so as to present a neat and orderly appearance. The city may, after due notice, issue a citation to any permittee, or to the person owning such sign if the sign does not require a permit, for any sign which shows gross neglect or becomes dilapidated. Such due notice shall be in writing, shall specify the sign and its location, and shall state that the sign has not been properly maintained. The city shall give permittee ten days to rectify the condition of the sign or to remove the dilapidated sign before issuing a citation for violation of this article.
- (b) Any lawfully existing sign which is not maintained, which has been abandoned for 180 calendar days or longer, or which no longer advertises a bona fide business or product, shall be taken down or removed by the owner, agent, or person having beneficial use of the building, structure, or land upon which such sign is located. The removal of such sign shall be undertaken and completed within 30 calendar days after written notification from the city building inspector is forwarded to the owner, agent, or person having the beneficial use of the use of the building, structure, or land upon which such sign is located requesting removal of such sign. The failure to remove such sign within such time period shall be a violation of this article and shall subject the offender to punishment for violation thereof as provided in [section 1-8](#) of the City Code.
- (c) The city may issue a citation to any person who violates any provision of this article and, upon conviction or a plea of guilty, the municipal court shall be authorized to punish such offender as provided in [section 1-8](#) of this Code.

(Code 1986, § 5-189.1; Ord. No. O-05-08-19, 8-18-2005; Ord. No. O-10-06-20, 6-24-2010)

Secs. 74-6—74-28. - Reserved.

Sec. 74-29. - Nonconforming signs.

(a) Nonconforming signs, which met all legal requirements when erected, may stay in place, provided that within 120 days of the effective date of the ordinance from which this article is derived, the owner of the nonconforming sign, or his designee, registers the sign with the city. Such registration shall contain the information listed in [section 74-50](#) and shall specify the sign being registered as nonconforming and shall state that the sign was completely installed before the effective date of the ordinance from which this article is derived. The payment of a fee is not required for the registration of a nonconforming sign. Nonconforming signs shall be permitted until one of the following conditions occur:

- (1) The deterioration of the sign or damage to the sign makes it a hazard or unsightly;
- (2) The sign has been damaged by circumstances beyond the control of the owner to the extent that more than minor repairs are required to restore the sign; or
- (3) The 120 days has expired from the effective date of the ordinance from which this article is derived without the sign being registered.

(b) No structural repairs or change in shape, size or design shall be permitted except to make a nonconforming sign comply with all requirements of this article.

(c) A nonconforming sign, may not be replaced by another nonconforming sign except where changed conditions beyond the control of the owner, render the sign nonconforming or warrant the sign's repair.

(Code 1986, § 5-186; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-30. - Variances.

Variances shall be limited to the minimum relief necessary to overcome the hardship. No variance shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist. A variance from compliance with the sign regulations of this article shall be limited to the following hardship situations:

- (1) *Standards.*
 - a. Where the proximity of existing signs on adjoining lots causes the subject property to be ineligible due to spacing requirements, for a sign of the type sought; or
 - b. Where visibility of a conforming sign from the public street and within 50 feet of the proposed sign would be substantially impaired by existing trees, plants, natural features, signs, buildings, or structures on a different lot; and

c. Placement of the sign elsewhere on the lot would not remedy the visual obstruction and such visibility obstruction, was not created by the owner of the subject property, and the variance proposed would not create a safety hazard to traffic.

(2) *Applications.* Variance applications shall be submitted to the board and shall be heard under the same rules governing appeals.

(Code 1986, § 5-187; Ord. No. O-05-08-19, 8-18-2005)

Secs. 74-31—74-48. - Reserved.

Sec. 74-49. - Required.

(a) Except as specifically excluded from the provisions of [section 74-3](#), it shall be unlawful for any person to post, display, substantially change, or erect a sign in the city without first having obtained a sign permit.

(b) Existing signs must be permitted and registered with the city within 120 days of the effective date of the ordinance from which this article is derived. The information provided for registration will be the same information required in a permit application under [section 74-50](#). No permit fee will be required for the registration of existing signs.

(Code 1986, § 5-173; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-50. - Application and content.

Applications for sign permits required by this chapter shall be submitted for approval by the sign contractor or the sign installer with the building risk management office of the city. Notwithstanding the identity of the sign permit applicant, the owner or lessee of the property where the sign is installed shall be responsible for ensuring that the sign is installed in accord with the provisions of the sign permit and this chapter. The application shall describe and set forth the following:

- (1) The street address of the property upon which the sign is to be located and a plat map of the property that bears an indication of the proposed location of the sign.
- (2) The aggregate area for all signs on the parcel.
- (3) The name and address of the owner of the real property upon which the subject sign is to be located.
- (4) Consent of the owner, or the owner's agent, granting permission for the placement or maintenance of the sign.
- (5) Name, address, phone number, and business license number of the sign contractor.

(6) The type of sign to be erected, the area of the sign, the height of the sign, the shape of the sign, and an explanation of how the sign is to be mounted or erected, including a drawing depicting the design and size of the sign.

(7) The approximate distance of the sign from the closest adjacent sign in either direction.

(8) The size of the parcel on which the sign is to be placed.

(Code 1986, § 5-174; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-51. - Processing procedure.

The city shall process all sign permit applications within 30 business days of the city's actual receipt of a completed application and a sign permit fee. The building risk management office shall notify the applicant of the decision of the city by hand delivery or by mailing a notice to the address on the permit application on or before the 30th business day after the city's receipt of the completed application. If mailed, notice shall be deemed to have been given upon the date of mailing in conformity with this section. If the city fails to act within the 30-day period, the permit shall be deemed to have been granted.

(Code 1986, § 5-175; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-52. - Denial and revocation.

(a) *Procedure.* The city shall deny permits to applicants that submit applications for signs that do not comply with the provisions of this chapter, incomplete applications, and applications containing any false material statements. Violation of any provision of this chapter will be grounds for terminating a permit granted by the city for the erection of a sign. Should it be determined that a sign permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this chapter, the building risk management office shall revoke the permit. Should the city deny a permit, the reasons for the denial are to be stated in writing and mailed by certified mail, return receipt requested, or via hand delivery to the address on the permit application on or before the 30th business day after the city's receipt of the application. Any application denied and later resubmitted shall be deemed to have been submitted on the date of resubmission, instead of the date of the original submission. No permit shall be denied or revoked, except for due cause as hereinafter defined, and the applicant is granted a public hearing before the board. The applicant will be given ten days' written notice of the time, place, and purpose of the hearing, with a statement of the reason for the denial of the permit application, or the revocation of a permit. The term "due cause" means the violation of the provisions of this chapter, state or federal law related to signage, or the submission of an incomplete application or an application containing false material statements.

(b) *Appeal; final decision by city council.* An individual whose permit application has been denied, or a permittee whose permit has been revoked, may appeal the decision to the board to the city council, provided that they file written notice of an appeal with the city clerk within ten business days of the

decision. Such appeal shall be considered by the city council at the next city council meeting held after the city's receipt of the written notice of appeal, provided that notice of appeal is received a minimum of two full business days before the meeting. If the appeal is not heard at such meeting, it shall be heard at the next regular meeting of the city council thereafter. The city council shall make a final decision no later than 30 days from the date of the hearing. An applicant denied a permit by final decision of the city council shall have a right to appeal the decision of the council to the superior court.

(c) *Petition for writ of certiorari by denied applicant.* In the event that an individual whose permit has been denied or revoked is dissatisfied with the decision of the city council, he or she may petition for writ of certiorari to the superior court as provided by law.

(Code 1986, § 5-176; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-53. - Expiration.

A sign permit shall become null and void if the sign for which the permit was issued has not been completed and installed within six months after the date of issuance. No refunds will be made for permit fees paid for permits that expired due to failure to erect a permitted sign. If later an individual desires to erect a sign at the same location, a new application must be processed and another fee paid in accordance with the fee schedule applicable at such time.

(Code 1986, § 5-177; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-54. - Fees.

The cost of a permit shall be as established by ordinance.

(Code 1986, § 5-178; Ord. No. O-05-08-19, 8-18-2005)

Secs. 74-55—74-81. - Reserved.

Sec. 74-82. - Restrictions in residential zoning districts.

Following are the restrictions in residential zoning districts:

- (1) Other than subdivision entrance signs allowed under [section 74-83](#), parcels located in residential zoning districts, as defined by the city's zoning code as now or hereafter amended, shall not have an aggregate sign area greater than four square feet; and
- (2) Signs indicating the name of an institution, church, or other place of worship or civic association, noncommercial clubs, lodges, and social and recreational centers, shall not have an aggregate sign greater than 20 square feet; and
- (3) Signs having a height of greater than five feet above the grade level of the adjacent street to which the parcel on which the sign is located shall not be located in residential zoning districts.

(Code 1986, § 5-180; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-83. - Residential subdivision entrance signs.

Platted residential subdivisions consisting of more than two parcels, including subdivisions which contain both single-family and multifamily residences, may erect one monument sign at each entrance to the subdivision. Such sign shall not exceed a height of five feet above the grade level of the adjacent street and shall not have a sign area greater than 25 square feet. Such entrance signs shall not count toward the maximum allowable signage on a residential parcel.

(Code 1986, § 5-181; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-84. - Height requirements.

The following height requirements shall be applicable to signs located in nonresidential zoning districts:

- (1) No sign shall exceed 25 feet in height at the highest point on the sign.
- (2) Monument signs shall not exceed six feet in height.
- (3) Hanging/shingle-type signs shall have no portion of the sign, which is less than seven feet eight inches above the sidewalk surface below.
- (4) No sign, sign structure, or advertising device shall be located closer than two feet from the outside edge of a sidewalk. Where no sidewalk exists, a seven-foot setback from the street or curb will be required, except in the C-3 downtown general business district. All other utility restrictions shall apply.

(Code 1986, § 5-182; Ord. No. O-05-08-19, 8-18-2005; Ord. No. O-06-06-19, 6-22-2006)

Sec. 74-85. - General size and location requirements.

(a) *Freestanding signs.* No freestanding sign may be located within 30 feet of the intersection of street right-of-way lines extended.

(b) *Consent of owner required.* No sign shall be located on any building, fence, or other property belonging to another person without the consent of the owner, and as permitted under the provisions of this article.

(c) *Billboard signs.*

- (1) Billboard signs shall not exceed 672 square feet of sign area. Billboard signs shall not exceed 14 feet in height or 48 feet in length.
- (2) Billboard signs shall only be located on parcels in commercial or industrial zoning areas.
- (3) Billboard signs shall only be located on parcels adjacent to designated state or federal highways.

(4) No billboard signs shall be located within 1,500 feet of another billboard sign.

(5) No billboard sign shall be located within 500 feet of residential zoned parcels.

(6) No billboard sign shall be located within 500 feet in any direction of a public park, public playground, public recreation area, public forest, scenic area, or cemetery; provided, however that such sign may be located within 500 feet of a public park, public playground, public recreation area, public forest, scenic area, or cemetery when the sign is separated by buildings or other obstructions so that the sign located within the 500-foot zone is not visible from the public park, public playground, public recreation area, public forest, scenic area, or cemetery.

(d) Stanchion signs.

(1) Stanchion signs for parcels exceeding three acres shall not exceed a sign area of 150 square feet.

(2) Stanchion signs for parcels less than three acres, but equal to or greater than 30,000 square feet, shall not exceed a sign area of 90 square feet.

(3) Stanchion signs for parcels less than 30,000 square feet in size shall not exceed a sign area of 70 square feet.

(4) Stanchion signs shall only be located on property in commercial or industrial zoning areas.

(e) Monument signs. Monument signs shall not exceed 60 square feet of total area, which shall include signage and structure.

(f) Wall and awning signs.

(1) Wall and awning signs shall not project above the parapet wall.

(2) Wall signs shall not project beyond the building face. Awning signs shall not project beyond the building face by more than four feet.

(3) Wall and awning signs are allowed at the rate of one square foot per linear foot of wall building frontage.

(4) Wall signs shall only be located on property in commercial or industrial zoned areas.

(g) Maximum aggregate sign area. Parcels may contain more than one sign, provided that:

(1) Parcels exceeding three acres shall be allowed a maximum aggregate sign area for the entire parcel of 300 feet.

(2) Parcels less than three acres but greater than 30,000 square feet shall be allowed a maximum aggregate sign area for the entire parcel of 180 square feet.

(3) Parcels less than 30,000 square feet in size shall be allowed a maximum aggregate sign area for the entire parcel of 100 square feet.

(4) These limits shall not include the area of any wall signs or billboard signs located on the parcel.

(5) These limits shall include the area of all freestanding signs on the parcel.

(Code 1986, § 5-183; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-86. - Historic district signage.

(a) In addition to the general requirements herein and any other requirements contained herein, which may be applicable to signs located with the city's designated historic district, all signage in the city's designated historic district shall meet the following minimum requirements:

(1) Any sign attached to or painted upon any portion of a building in the national register of the city's historic district shall not cover, destroy, or otherwise alter the historic fabric or architectural features of the structure.

(2) Signs which have no historical basis or which create an appearance not in conformity with the city's historic district shall be prohibited.

(3) Signs shall be placed in the traditional signboard area, painted on windows, painted or sewn on awnings and/or on hanging or perpendicular signs, provided they comply with all other ordinances of the city which are or may be applicable thereto.

(4) Contemporary design of signs on existing or new structures shall not be discouraged when such signs do not destroy significant historical, architectural, or cultural material and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment where such signs are located.

(5) Historical markers or plaques may be placed on any historical building or site, provided the size and location are in compliance with all other requirements of this chapter.

(6) Any illumination or illumination device in or directed onto signs shall be installed and maintained so as not to detract from the historic district or any part thereof.

(7) No mobile signs are permitted in the city's designated historic district.

(8) There shall be no requirement that temporary signs, as defined in this chapter, must be submitted to the historic preservation commission for approval or disapproval.

(b) Applications for sign permits where the proposed sign is to be located in the historic district shall first be reviewed by the building official, and the application shall then be submitted to the historic preservation commission as an application for a certificate of appropriateness, which shall approve or

disapprove such application under the same ordinances and rules as any other certificate of appropriateness is considered.

(Code 1986, § 5-184; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-87. - Construction standards.

(a) All signs for which a permit is required under this chapter shall be constructed and maintained in accordance with the provisions of the city building code.

(b) Signs for which a permit is not required under this chapter that are constructed of degradable material may be posted for a maximum of 60 days unless replaced with another sign of the same material. Any such replacement signs may be posted for a maximum of 60 days.

(Code 1986, § 5-185; Ord. No. O-05-08-19, 8-18-2005)

Sec. 74-88. - Illumination.

Illumination for signs shall not cast light on adjoining property or shine in such a manner as to cause traffic interference.

(Code 1986, § 5-189; Ord. No. O-05-08-19, 8-18-2005)