

## *ARTICLE XII. SIGNS*

### **Sec. 1300. Purpose and Intent.**

The City of Walnut Grove finds that signs are a proper use of private property, are a means of personal free expression and a necessary component of a commercial environment. As such, signs are entitled to the protection of the law. In the absence of regulation, however, the number of signs tends to proliferate, with property owners desiring ever-increasing numbers and sizes of signs, leading to cluttered and aesthetically blighted thoroughfares. In addition, the competition among competing sign owners for visibility of their signs contributes to safety hazards for both vehicles and pedestrians and undermines the sign owners' original purpose of presenting a clear message of its idea or identification of its premises.

Regulation of the location, size, height, placement, number, spacing and certain content neutral features of signs is necessary to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the city, to enable the public to locate goods, services, and facilities in the city without difficulty and confusion, to provide for the orderly and reasonable display of advertising for the benefit of all the city's citizens, to protect the public investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically appealing environment, to improve the general attractiveness of the community, to take advantage of the beauty of the community's environment, and to protect property values. The goal of this article is to avoid being an impermissible content-based regulation, and instead to be a permissible content neutral time, place and manner restriction. More communication is desirable during the election cycle, so that all citizens may freely express their viewpoints during the election campaigns, and therefore this ordinance allows increased opportunities for signs during these periods, without limiting content. At all times, any sign permitted under this regulation can carry any legal message, political or non-political, commercial or non-commercial. However, it is not the intent of this article that all signs are built to the maximum size. The city encourages use of the minimum signage necessary to meet the purposes required. Accordingly, it is the intention of the city to establish regulations governing signs which will:

1. Promote and protect the public health, safety, and general welfare;
2. Protect the character of the city's historic commercial district and residential neighborhoods;
3. Enhance the economy of the city by promoting the reasonable, orderly and effective display of signs;
4. Balance the rights of persons to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs;

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5. Restrict signs and lights which increase clutter or which increase the probability of traffic accidents by obstructing vision;
  6. Promote signs compatible with their surroundings;
  7. Protect property values by minimizing the possible adverse effects and visual blight caused by signs; and
  8. Improve pedestrian and traffic safety and reduce traffic and pedestrian hazards.

Further, recognizing that the aesthetic, cultural, and historic qualities of the city are unique and, therefore, vital to the community's interest, it is the objective of this article to protect these and to ensure that these are not compromised. It is an objective of this article to protect and preserve the aesthetic qualities of the community by regulating the number, size, placement, installation and maintenance of signs. The fact that such signs are intended to command visual contact, grants to signs a proportionally greater role than other structures in determining the overall aesthetic quality of the community. The aesthetic impact of signs has an economic factor that can bear heavily upon the enjoyment and value of property; therefore, the regulation of signs is validly justified on the basis of conserving the value of property and encouraging the most appropriate use of land throughout the community. It is both rational and important for a community's citizens to plan their physical surroundings so unsightliness is minimized. Signs can detract from the beauty of a neighborhood and lower property values.

Further, in seeking to comply with federal and Georgia law, the city council has determined the following: large billboards are, as the U.S. Supreme Court has recognized, an aesthetic harm and potential traffic safety hazard; the Georgia Supreme Court has upheld sign regulations on the basis of aesthetics and preserving the beauty of environment; and, judicial decisions of the Eleventh Circuit have recognized that portable signs are visual clutter and a potential traffic hazard. These holdings support the constitutionality of this article, as intended by the City. It is not the intent of this Article to regulate the content of speech through signage controls. To the extent any court of competent jurisdiction interprets any provision of this Article to restrict the content of speech; it is the intent of the mayor and council that all allowable signs may display a noncommercial message in addition to, or in lieu of, any other message.

**Sec. 1301. Authority.**

This Article is enacted pursuant to Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, the Charter of the City of Walnut Grove, the general police powers of Walnut Grove and other authority provided by federal, state or local laws applicable hereto.

**Sec. 1302. Applicability.**

These sign regulations shall be valid throughout the city limits. Signs shall be erected, placed, established, painted, created and maintained in accordance with the physical standards outlined in this Article. Sign placement and size regulations shall vary between districts. To determine which district a proposed sign will be located in, see the official zoning map in city hall. Nothing herein shall be construed to permit display of any message which is obscene, illegal or speech which is otherwise unprotected under the First Amendment of the United States Constitution. Nothing herein shall be construed to prohibit a prosecution for violation of a

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criminal statute by the city or other duly constituted government authority or a civil action by the city or other private person or entity.

### **Sec. 1303. Definitions.**

For the purpose of the regulations set forth in this Article, the following definitions shall apply. Words and phrases not defined by this Article, but defined in other city ordinances, shall be given the meanings set forth in such ordinances. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Words used in the singular shall include the plural; and the plural the singular; and the words used in the present tense shall include the future tense. Article, division, and section headings or captions are for reference only and shall not be used in the interpretation of this Article.

The word "shall" is mandatory, not discretionary. The word "may" is permissive. The word "lot" include the words "piece," "plot," and "parcel." The words "zone," "zoning district" and "district" have the same meaning. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," and "occupied for." The word "structure" shall include the words "building" and "sign." The word "he" shall include the word "she." The word "erected" includes the word "constructed," "moved," "located" or "relocated"

*A-Frame sign.* See sandwich sign.

*Aggregate sign area* means the combined sign surface area of all signs on a lot, excluding the area of one face of all double-faced signs.

*Animated sign* means a sign that has moving parts or includes action, motion, blinking, flashing, scrolling, rotation, varying light intensity, or color changes, or the optical illusion of action, motion, blinking, flashing, scrolling, rotation, or color changes, provided that electronic changeable copy meeting the standards of this article are excluded from the definition of animated sign.

*Awning* means a structure projecting from and supported by the exterior wall of a building constructed of rigid or non-rigid materials such as cloth, plastic or metal.

*Awning sign:* See canopy sign. Awning signs are considered building signs.

*Banner* means a piece of fabric or similar material, intended to be temporary in nature, that is attached to a pole, enclosed in a frame, or mounted in some manner as a temporary sign. Flags meeting the definition and standards of this article are excluded from the definition of the term "banner."

*Beacon* means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zoned lot as the light source; also, any light with one or more beams that rotate or move. This term is not intended to include any kind of lighting device which is required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies.

*Building facade* means for a single occupancy building, the portion of any exterior elevation of a building extending from grade to the top of a parapet wall or eaves and the entire width of the building elevation fronting a public street, excluding alleys and lanes; for a planned center with multiple occupants, the portion of any exterior elevation of a building extending from grade to the top of a parapet wall or eaves and the width between the left most wall and the right most

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wall of an occupied building space along the exterior elevation fronting a public street, excluding alleys and lanes.

*Building front* means the length of an outside building wall facing a street.

*Building sign:* Any sign attached to any part of a building, as contrasted to a freestanding sign. For the purpose of this article, any sign face that is affixed flat against the sloping surface of a mansard roof shall be considered a wall sign. Any sign that is affixed to the building marquee, building awning, a building canopy or a fence shall be considered a wall sign.

*Canopy* means a non-retractable structure, other than an awning, made of cloth, metal or other material, with frames attached to the building and/or carried by a frame supported by the ground.

*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. Canopy signs are considered building signs.

*Changeable copy sign:* That portion of a sign that is capable of changing the position or format of word messages or other displays on the sign face or change the visible display of words, numbers, symbols and graphics by the use of a matrix of electric lamps, movable discs, movable panels, light apertures or other methods, provided these changes are actuated by either a control mechanism or manually on the face of the sign. Tri-vision signs and LED signs are specifically excluded from the definition of changeable copy sign.

*Double-faced sign* means a sign which has two display areas 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. A sandwich sign or an a-frame sign is a double face sign.

*Electronic sign.* See changeable copy sign.

*Externally-illuminated sign* means any sign that is partially or completely illuminated at any time by an artificial light source that directly or indirectly illuminates the face of the sign from outside the sign structure.

*Flag* means a piece of cloth varying in size, color, and/or design and used as a symbol, standard, signal, or emblem used as the symbol of an organization or entity.

*Flashing sign.* See animated sign.

*Ground sign* means a sign securely affixed to an independent support structure that is permanently attached to the ground and wholly independent of any building or any other structure, whether portable or stationary, for support.

*Sign height* means the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and a level plane going through the nearest point of the vehicular traffic surface of the adjacent improved public right-of-way, other than an alley. In the event a sign is equal distance from more than one improved public right-of-way, none of which are alleys, the highest point shall be used.

*Indirectly illuminated sign* means a sign illuminated by an external light source directed primarily toward such sign.

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*Internally illuminated sign* means a sign illuminated by an internal light source.

*LED sign* means any sign or portion thereof that uses light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind to form part of the sign face, whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind, whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro polymer (OEL), or any other similar technology. For purposes of this article, a sign that includes electronic changeable copy meeting the standards of this article is not considered an LED sign. Use of LED lighting behind an opaque panel face for the purpose of internal illumination of the sign face that is contained on the panel is not included within the definition of LED sign.

*Mansard roof*: Any roof that has an angle greater than forty-five (45) degrees and which derives part of its support from the building wall and is attached to (but not necessarily a part of) a low slope roof and which extends along the full length of the front building wall or three-quarters ( $\frac{3}{4}$ ) of the length of a side building wall. For purposes of this article, a low slope roof shall mean any roof with a pitch less than three (3) inches rise per twelve (12) inches horizontal.

*Monument-style sign* means a permanent ground sign mounted directly upon the ground and not attached to or a part of or supported by a building and designed in such a manner that the base of the sign face is flush with the supporting solid base which is flush with the ground. The base shall be at least as wide as the sign.

*Multi-faced sign* means a sign structure with more than two sign faces situated so that each sign face is facing a different direction.

*Neon sign* means an internally illuminated sign containing a glass tube filled with neon or phosphorous, which is bent to form letters, symbols or other shapes and which tubing forms all of a portion of the visible element of the message. Neon tubes hidden behind opaque sign faces and utilized for internal illumination of the sign face do not constitute neon signs.

*Nonconforming sign* means any sign lawfully existing on the effective date of the ordinance from which this article is derived, or any amendment thereto, but that would not be permitted under the terms of this article or any subsequent amendment.

*Parapet* means the extension of a false front or wall above a roof line.

*Pennant* means pieces of cloth or plastic joined together, uniform or varying in size, color and/or design, suspended from a structure to the ground or additional structure and designed to move in the wind.

*Person* means any person, firm, partnership, association, corporation, company or organization of any kind.

*Planned center* means a contiguous area or subdivision of land, planned and maintained as a single entity and containing one or more structures to accommodate retail, service, commercial, office or industrial uses, or a combination of such uses, and appurtenant common areas and accessory uses incidental to the predominant uses (i.e., office park, shopping center, industrial park).

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*Portable sign* means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, signs posted on the roofs or truck beds of vehicles, signs converted to "A" or "T" frames, umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operation of the business for purposes other than signage.

*Prohibited sign* means any sign prohibited in section 1306.

*Projecting sign* means a sign projecting more than six inches from the outside wall or walls of any building upon which it is located.

*Right-of-way* means a strip of land over which the city has a right by ownership or easement, to construct a public street, sidewalk or location for public utilities.

*Roof sign* means a sign erected and constructed wholly on or over the roof of a building, supported by the roof structure, or extending vertically above the highest portion of the roof.

*Rotating sign* means a sign which is designed to revolve by means of electrical power.

*Sail sign* means a piece of cloth, varying in size, shape, color, and design, attached at one edge to a staff or cord for the entire vertical length of the cloth, and used as a means of conveying a message.

*Sandwich sign* means a freestanding portable sign, also referred to as an "A-frame sign" that has two sides, hinged or otherwise fastened together at the top and supported by opening the sides from one another at the base, similar to a ladder, so that the sign, when opened, becomes self-supporting.

*Setback* means the distance from a property line to the nearest part of a building structure or sign, as measured perpendicularly to the property.

*Sign* means any surface, fabric, device, or display which bears lettered, pictorial, or sculptured matter designed to convey information visually and which is exposed for public view on the exterior of a building or on surrounding property. For purposes of this article, the term "sign" shall include all structural members. A sign shall be construed to be a display surface or device containing organized and related elements composed to form a single unit. In cases where matter is displayed in a random or unconnected manner without an organized relationship of components, each component shall be considered to be a single sign.

*Sign face* means the surface or plane of the sign upon, against, or through which a message is displayed or illustrated, including the message display surface and any framing, trim or molding.

*Sign structure* means poles, beams, columns, posts, foundations, or other means providing structural support for the sign surface area to which the sign is affixed and excluding those portions of any such structure the primary purpose of which is to serve an architectural function (i.e., building wall, freestanding wall, entrance wall, fence, gate, etc.).

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

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*Stanchion sign:* A ground sign that is mounted on a pole or other vertical support such that the bottom of the sign face is more than six (6) feet above the ground and there is no visual obstruction other than the vertical support between the ground and the bottom of the sign face.

*Standard informational sign* means a sign intended for temporary use measuring not more than 4½ square feet in sign area and sign height comprised of rigid plastic, cardboard, or wood with no reflective elements, flags or projections and erected on a wooden stake or metal frame with a thickness or diameter not greater than 1½ inches in residential districts or placed within the window of a building in non-residential districts.

*Streamers.* See definition of *Pennant*.

*Street frontage* means the length of a property line along the street on which it borders.

*Temporary sign* means a sign of a non-permanent nature, including but not limited to portable signs and sandwich signs, as defined by this section.

*Tenant space frontage* means the horizontal distance in feet between the left side wall and right side wall or building end of a tenant space fronting a street or common parking area.

*Trailer sign, see portable sign.*

*Tri-vision sign* means a sign designed with a series of triangular slats that mechanically rotate in sequence with one another to show three different sign messages in rotation. For purposes of this article, a tri-vision sign is not a changeable copy sign.

*Wall sign* means a sign applied to or mounted to the wall or surface of a building or structure, the display surface which does not project more than six inches from the outside wall of such a building or structure.

*Window sign* means a sign installed flush with the interior or exterior of a window and intended to be viewed from the outside.

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*Zoning district* means any geographic area defined by the official zoning map for the purpose of regulating use.

*Zoning ordinance* means the official zoning ordinance of the city.

#### **Sec. 1304. General Provisions.**

- A. All signs must be in compliance with the provisions of this article, the Standard Building Code, the zoning ordinance, and the National Electric Codes as adopted.
- B. Where the Historic Commission has adopted standards for signage within the City of Walnut Grove Historic District, any sign proposed for erection in that district shall be reviewed for compliance with those standards.
- C. All signs must be placed on private property, except signs erected on public property by an authorized governmental unit. No sign shall be located closer than ten feet from the back of the curb of a public roadway, nor be located closer than ten feet from the public right-of-way.

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- D. No sign shall be attached to or painted on a telephone pole or power pole, or any tree, rock or other natural object.
  - E. Any sign allowed under this article may contain any commercial or noncommercial message except that such messages cannot be obscene, as defined by the courts.
  - F. For the purposes of determining the number of signs, ground signs shall be equal to the number of sign structures. All other non-ground signs shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in random manner without organized relationship of elements, each such element shall be considered to be a single sign.
  - G. No sign or sign structure (above a height of three feet) shall be maintained within 15 feet of the intersection of the extended right-of-way lines of two streets, of an intersection of a street right-of-way with a railroad right-of-way, or otherwise placed in a location that limits sight distance as determined by the city manager and/or designee.
  - H. No sign or sign structure may be erected or maintained which obstructs any fire escape, window, ventilation, door or hydrant; nor shall any sign or sign structure be attached to a fire escape.

**Sec. 1305 Signs regulated by zoning district.**

Types of signs and regulatory aspects of those signs, allowed per zoning district shall be as follows:

- A. *Signs in the AG zoning districts.*
  - 1. *Standard Informational Signs.* The aggregate sign area of all standard informational signs on a lot shall not exceed 16 square feet in sign area. Standard informational signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of curb of a public roadway. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.
  - 2. *Ground signs.* Ground signs shall be limited to a quantity of one per road frontage per lot with an aggregate sign area of no more than 35 square feet and a sign height of no more than five feet.
  - 3. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to a residential subdivision or development. Monument signs at the entrances to residential subdivisions or developments shall not exceed five feet in height and 24 square feet in sign area per sign face. All sign structures shall be constructed of brick, stone, textured concrete masonry units or equivalent architectural material. Internal illumination is prohibited.
  - 4. *Temporary residential development sign.* Residential lot developers and residential lot development companies may apply for a sign permit to put up a



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temporary sign at the entrance of residential subdivisions if there are currently lots for sale in the subdivision. The temporary sign must be displayed within 100 feet of the entrance of the subdivision on private property or common area of the subdivision. Permission must be obtained from the owner of the property. The temporary signs are limited to one per public road entrance to the subdivision and shall only be allowed for a maximum of three years or until lots are sold, whichever is less. The temporary sign may be in the form of a simple pole sign with the maximum dimensions of four feet by six feet and a maximum height of five feet from the ground.

4. No sign, permanent or temporary, shall be erected that has a sign height that is greater than five feet.
5. No sign, permanent or temporary, shall be illuminated in any manner.

B. *Signs permitted in the OI zoning districts.*

1. *Standard Informational Signs.* Standard informational signs shall be limited to window signs. The aggregate sign area of all standard informational signs on a lot shall not exceed 16 square feet. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.
2. *Ground signs.* Ground signs shall be limited to a quantity of one ground sign per road frontage per lot with a sign area of no more than 32 square feet per sign face and an aggregate sign area of no more than 64 square feet. Ground signs shall be limited to a maximum height of eight feet and shall have a minimum setback of ten feet. Ground signs shall be attached to a permanent wall or base constructed of brick, stone or textured concrete masonry units.
3. *Window signs.* Individual or aggregate window signs shall not exceed 25 percent of the area of windows on the building elevation facing the road frontage, not to exceed 64 square feet. For buildings with multiple tenants, the foregoing limitation is to be applied separately to each tenant space.
4. *Wall signs.* One wall sign per road frontage for each tenant no greater than one square foot of sign area per one linear foot of tenant space frontage shall be permitted, not to exceed 64 square feet.
5. *Banners.* Banners up to 16 square feet in sign area may be displayed for 30 days per premise up to four times per year with at least 45 days between each 30-day display period. No banner shall be attached to a utility pole or light pole.
6. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to a commercial, office or industrial planned center. Monument signs at the entrance of a commercial, office, or industrial planned center shall not exceed eight feet in height and 32 square feet in sign area per sign face. All sign structures shall be constructed of brick, stone,

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textured concrete masonry units or equivalent architectural material. Internal illumination is prohibited.

7. Except as otherwise provided in this subsection B, signs may be illuminated internally or externally, provided that any external light fixtures must be directed away from streets and adjacent property.

C. *Signs permitted in the C1, C2 zoning district.*

1. *Standard Informational Signs.* Standard informational signs shall be limited to window signs. The aggregate sign area of all standard informational signs on a premise shall not exceed 16 square feet. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.
2. *Ground signs.* Ground signs shall be limited to a quantity of one ground sign per road frontage per lot of not more than 32 square feet in sign area per sign face and an aggregate sign area of more than 64 square feet. Ground signs shall be limited to a maximum height of six feet and a minimum setback of ten feet. Ground signs shall be attached to a permanent wall or base constructed of brick, stone or textured concrete masonry units. Ground signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property.

Ground signs may use a light emitting diode (LED) board to display static messages provided that the following standards are complied with in addition to all other requirements of this article:

- A. The LED board shall contain static messages only and shall display each static message for no less than 30 seconds;
- B. The LED board shall not operate at a brightness level of more than 0.20 footcandles above ambient light levels (at measurement conditions) as measured at a distance of 125 feet or, if the LED board is in the line of sight of any residential structure, 0.10 footcandles above ambient light levels (at measurement conditions) as measured at a distance of 125 feet;
- C. Once every 12 months and in the event of a complaint, the owner of the LED board shall be required to provide to the city manager or other designee a certification of the brightness level of the LED board from an independent contractor and, if the brightness levels are not met, the owner shall turn off the LED board until the brightness level is corrected;
- C. The LED board must have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change;
- D. The LED board shall employ a default setting that displays a dark, blank screen should a malfunction occur and the owner of the sign shall provide to the city manager or other designee, information for a 24-hour contact able to turn off the LED board promptly if a malfunction occurs; and

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- E. The LED board shall not be animated, move, flash, blink, or vary in light intensity during the display of a single message, and transitions between messages shall not use frame effects or other methods which result in movement of a displayed image during such transition.
2. *Window signs.* Individual or aggregate window signs shall not exceed 25 percent of the area of windows on the building elevation facing the road frontage, not to exceed 64 square feet. For buildings with multiple tenants, the foregoing limitation is to be applied separately to each tenant space.
  3. *Wall signs.* One wall sign per road frontage for each tenant no greater than one square foot of sign area per one linear foot of tenant space frontage shall be permitted. Wall signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property.
  4. *Canopy signs.* One canopy sign per tenant printed or affixed directly onto the canopy material with a sign area not to exceed eight square feet.
  5. *Projecting signs.* One projecting sign per building with a sign area not to exceed six square feet. Minimum clearance of seven feet six inches (7'6"), measured from the bottom of the sign, is required above any pedestrian way.
  6. *Double-faced signs.* One double-faced sign per tenant with a sign area not to exceed four square feet per sign face and a sign height not to exceed three feet. Double-faced signs may only be placed directly in front of the building space occupied by the tenant and shall not impede the flow of pedestrian traffic. Double-faced signs must be removed and shall not be displayed between the hours of 10:00 p.m. and 7:00 a.m.
  7. *Banners.* Banners up to 12 square feet in sign area may be displayed for 30 days per premise up to four times per year with at least 45 days between each 30-day display period. No banner shall be attached to a utility pole or light pole.
  8. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to any commercial, office or industrial planned center. Monument signs at the entrance of a commercial, office, or industrial planned center shall not exceed eight feet in height and 32 square feet in sign area per sign face. All sign structures shall be constructed of brick, stone, textured concrete masonry units or equivalent architectural material.
  9. Except as other provided in this subsection C, signs shall not be illuminated internally or externally.
- D. *Signs permitted in the PUD zoning districts.*
1. *Standard Informational Signs.* The aggregate sign area of all standard informational signs on a lot shall not exceed 16 square feet in sign area. Standard informational signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of curb of a public roadway. For non-residential uses, standard informational signs shall be limited to window signs. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that
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election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.

2. *Ground signs.* Ground signs shall be limited to a quantity of one ground sign per road frontage per lot of not more than 100 square feet in sign area per sign face and an aggregate sign area of more than 200 square feet. Ground signs shall be limited to a maximum height of ten feet and a minimum setback of ten feet. If the lot contains a principal building or planned center of over 50,000 square feet, the maximum sign area per sign face shall be 120 square feet with an aggregate sign area of not to exceed 240 square feet. Ground signs shall be attached to a permanent wall or base constructed of brick, stone or textured concrete masonry units. Ground signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property.

Ground signs that are not located in the designated historic district may use a light emitting diode (LED) board to display static messages provided that the following standards are complied with in addition to all other requirements of this article:

- A. The LED board shall contain static messages only and shall display each static message for no less than 30 seconds;
  - B. The LED board shall not operate at a brightness level of more than 0.20 footcandles above ambient light levels (at measurement conditions) as measured at a distance of 125 feet or, if the LED board is in the line of sight of any residential structure, 0.10 footcandles above ambient light levels (at measurement conditions) as measured at a distance of 125 feet;
  - C. Once every 12 months and in the event of a complaint, the owner of the LED board shall be required to provide to the city manager or other designee a certification of the brightness level of the LED board from an independent contractor and, if the brightness levels are not met, the owner shall turn off the LED board until the brightness level is corrected;
  - C. The LED board must have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change;
  - D. The LED board shall employ a default setting that displays a dark, blank screen should a malfunction occur and the owner of the sign shall provide to the city manager or other designee, information for a 24-hour contact able to turn off the LED board promptly if a malfunction occurs; and
  - E. The LED board shall not be animated, move, flash, blink, or vary in light intensity during the display of a single message, and transitions between messages shall not use frame effects or other methods which result in movement of a displayed image during such transition.
3. *Window signs.* Individual or aggregate window signs shall not exceed 25 percent of the area of windows on the building elevation facing the road frontage, not to exceed 100 square feet. For buildings with multiple tenants, the foregoing limitation is to be applied separately to each tenant space.

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4. *Wall signs.* One wall sign per road frontage for each tenant no greater than one square foot of sign area per one linear foot of tenant space frontage shall be permitted. Wall signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property.
  5. *Banners and sail signs.* Banners and sail signs up to 16 square feet in sign area may be displayed for 30 days per premise up to four times per year with at least 45 days between each 30-day display period. No banner shall be attached to a utility pole or light pole. No sail sign shall exceed 16 feet in height measured from ground level at the point where it's based is mounted.
  6. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to a single family or multi-family residential subdivision or development or any commercial, office or industrial planned center. Monument signs at the entrances to single-family or multi-family residential subdivisions or developments shall not exceed eight feet in height and 24 square feet in sign area per sign face. Monument signs at the entrance of a commercial, office, or industrial planned center shall not exceed eight feet in height and 32 square feet in sign area per sign face. All sign structures shall be constructed of brick, stone, textured concrete masonry units or equivalent architectural material.
  7. *Temporary residential development sign.* Residential lot developers and residential lot development companies may apply for a sign permit to put up a temporary sign at the entrance of residential subdivisions if there are currently lots for sale in the subdivision. The temporary sign must be displayed within 100 feet of the entrance of the subdivision on private property or common area of the subdivision. Permission must be obtained from the owner of the property. The temporary signs are limited to one per public road entrance to the subdivision and shall only be allowed for a maximum of three years or until lots are sold, whichever is less. The temporary sign may be in the form of a simple pole sign with the maximum dimensions of four feet by six feet and a maximum height of eight feet from the ground.
  8. Except as other provided in this subsection D, signs shall not be illuminated internally or externally.
- E. *Signs permitted in the M-I zoning districts.*
1. *Standard Informational Signs.* Standard informational signs shall be limited to window signs. The aggregate sign area of all standard informational signs on a premise shall not exceed 16 square feet. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.
  2. *Ground signs.* Ground signs shall be limited to a quantity of one ground sign per road frontage per lot of not more than 100 square feet in sign area per sign face and an aggregate sign area of more than 200 square feet. Ground signs shall be
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limited to a maximum height of ten feet and a minimum setback of ten feet. If the lot contains a principal building or planned center of over 65,000 square feet, the maximum sign area per sign face shall be 150 square feet with an aggregate sign area of not to exceed 300 square feet. Ground signs shall be attached to a permanent wall or base constructed of brick, stone or textured concrete masonry units. Ground signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property.

3. *Window signs.* Individual or aggregate window signs shall not exceed 25 percent of the area of windows on the building elevation facing the road frontage, not to exceed 100 square feet. For buildings with multiple tenants, the foregoing limitation is to be applied separately to each tenant space.
  4. *Wall signs.* One wall sign per road frontage for each tenant no greater than one-fourth square foot of sign area per one linear foot of tenant space frontage shall be permitted. Wall signs may be illuminated internally or externally, provide that external light fixtures must be directed away from streets and adjacent property
  5. *Banners and sail signs.* Banners and sail signs up to 16 square feet in sign area may be displayed for 30 days per premise up to four times per year with at least 45 days between each 30-day display period. No banner shall be attached to a utility pole or light pole. No sail sign shall exceed 16 feet in height measured from ground level at the point where it's based is mounted.
  6. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to any commercial, office or industrial planned center. Monument signs at the entrance of a commercial, office, or industrial planned center shall not exceed eight feet in height and 32 square feet in sign area per sign face. All sign structures shall be constructed of brick, stone, textured concrete masonry units or equivalent architectural material.
  7. Except as otherwise provided in this subsection E, signs shall not be illuminated internally or externally.
- F. *Signs in the R1, R2, R3 zoning districts.*
1. *Standard Informational Signs.* The aggregate sign area of all standard informational signs on a lot shall not exceed 16 square feet in sign area. Standard informational signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of curb of a public roadway. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, there shall be no limit on the aggregate sign area of standard informational signs and an unlimited number of standard informational signs shall be permitted on any property in the City.
  2. *Monument signs.* Two single-faced, monument signs or one double-faced monument sign shall be permitted at every entrance to a residential subdivision or development. Monument signs at the entrances to residential subdivisions or developments shall not exceed five feet in height and 24 square feet in sign area

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per sign face. All sign structures shall be constructed of brick, stone, textured concrete masonry units or equivalent architectural material.

3. *Temporary residential development sign.* Residential lot developers and residential lot development companies may apply for a sign permit to put up a temporary sign at the entrance of residential subdivisions if there are currently lots for sale in the subdivision. The temporary sign must be displayed within 100 feet of the entrance of the subdivision on private property or common area of the subdivision. Permission must be obtained from the owner of the property. The temporary signs are limited to one per public road entrance to the subdivision and shall only be allowed for a maximum of three years or until lots are sold, whichever is less. The temporary sign may be in the form of a simple pole sign with the maximum dimensions of four feet by six feet and a maximum height of eight feet from the ground.
4. No sign, permanent or temporary, shall be illuminated in any manner.

**Sec. 1306. Prohibited signs.**

The following types of signs are prohibited in all zoning districts of the city:

- A. Signs imitating traffic or emergency signals or which display intermittent lights resembling the color, size, shapes, or order of lights customarily used in traffic signals or on emergency vehicles or on law enforcement vehicles.
- B. Signs or devices employing intense illumination when visible from the public right-of-way, flashing (strobe type) or blinking lights, spot lights, floodlights, or any type of pulsating or moving light.
- C. Signs which contains flashing or intermittent red, green, blue, or amber illumination or white flashing strobe lights. (Nothing herein is to be confused with seasonal lighting).
- D. Signs that cast direct light onto any residential premises.
- E. Signs tacked, posted, marked, painted or otherwise affixed on a roof, fire escape or utility pole.
- F. Signs which obscure or disfigure any significant architectural element of the building to which it is attached.
- G. Signs installed over, above, or extending above the bottom edge of a roof.
- H. Signs on a vehicle or trailer and parked with the primary purpose of providing a sign not otherwise allowed.
- I. Signs that require removal of any trees from the public right-of-way.
- J. Cold-air/helium-filled devices exceeding five feet at any measurement.
- K. Pennants and streamers.
- L. Neon signs.
- M. Projecting signs.
- N. Rotating signs.

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- O. Signs not in good repair, including without limitation any sign which is in a state of disassembly or any sign which has its internal lighting exposed to view for more than one week.
  - P. Portable signs, except as permitted in section 1305C.6.
  - Q. Signs emitting any sound, smoke, or vapor.
  - R. Animated signs.
  - S. Window signs in AG, AG-2 zoning districts.
  - T. Signs which contain words, pictures, or statements which are obscene.
  - U. Any sign that is structurally unsound or is a hazard to traffic or pedestrians.
  - V. Signs placed within public rights-of-way, except publicly owned, authorized or maintained signs which serve an official public purpose.
  - W. Any sign placed or erected on property without the permission of the owner.
  - X. Signs attached to a building for structural support that exceed 150 square feet in sign area.
  - Y. Signs not attached to a building for structural support that exceed 30 feet in ground sign height and/or 150 square feet of sign area.
  - Z. Signs that violate this Article, the zoning ordinance, or any other law, ordinance, or code.

**Sec. 1307. Signs allowed without a permit in all zoning districts.**

- A. Any sign not visible from the outside of a structure or to passing members of the public from public thoroughfares or right of way.
  - B. Signs designating the entrance or exit from property or providing direction for drivers maneuvering within the property so long as they do not exceed six square feet per sign area and four feet in height. The aggregate square footage of all such signs on a single parcel shall not exceed 48 square feet.
  - C. Signs on courtesy benches and trash cans on private property in the GC zoning district, provided that such signs shall not extend beyond nor be larger than the bench or trash can to which they are affixed.
  - D. Signs for the sole purpose of displaying street numbers as may be required by other ordinances and other signs required by law. Such signs shall be no more than four inches in height per numeral in residential districts and 12 inches in height per numeral in commercial and industrial districts.
  - E. Signs erected by, or on the order of, a public officer in the performance of his duties.
  - F. Window signs not exceeding 20 percent of the available window space per building elevation in a single occupant building or per tenant space in a multi-occupant building.
  - G. Non-illuminated, standard informational signs (excluding banners). For each residential or nonresidential lot, the quantity of standard informational signs shall be limited to either one standard informational sign that is 16 square feet in sign area or a combination of standard
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informational signs the aggregate of which shall not exceed 16 square feet in sign area. Standard informational signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of curb of a public roadway. Notwithstanding the foregoing, during the period from opening of qualifying for elections until the final determination of all contests and issues resolved by that election, an unlimited number of standard informational signs is permitted on any property in the City.

**Sec. 1308. Procedures.**

A. *Permit.*

1. A sign permit or temporary sign permit is required before a sign or temporary sign may be erected or an existing sign or temporary sign may be enlarged, relocated or have any improvements made costing 60 percent or more of the sign's total replacement value. All signs using electrical wiring and connections require an electrical permit in addition to any sign permit required under this article.
2. A sign permit or temporary sign permit shall be issued by the city when the plans and specifications for the proposed sign or part thereof conform in all respects to this Article and the building code. Applications for such permits shall be accompanied by all the information required hereunder and such other information as the city may require in the exercise of sound discretion to determine compliance with this article. Standardized sign plans may be filed with the city in fulfillment of this requirement, although site plans shall be filed with each application.
3. Except as otherwise provided in this Article, a temporary sign permit shall authorize the display of a temporary sign only for a period of 30 consecutive days from the date of issuance. In no case shall the same premises be issued a temporary sign permit more than four times in a 12-month period. Upon expiration of the temporary sign permit, the permittee shall remove the temporary sign and its supporting structure.
3. Each sign application shall contain an agreement to indemnify, defend and save the city harmless from all damages, demands or expenses which may in any manner be caused by the sign or sign structure.
4. Every sign for which a sign permit is required shall be plainly marked with the name of the permittee and shall have the number of the permit issued for said sign by the city affixed on the framework of the sign so the information therein shall be readily accessible, legible and durable.

B. *Application.* Applications for permits shall be filed with the city, on city forms. The application shall describe and set forth the following and any additional information pertinent to the application as may be requested by the city to determine compliance:

1. The type of the sign;
2. A scaled site plan showing the location, and plan describing the construction;
3. Scaled elevation drawing showing height and sign face dimensions;
4. Square footage, height and use of existing signage;
5. The name(s) and address(es) of the sign owner(s);

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6. Written consent of the property owner or agent, granting permission for the sign;
  7. The name, address, and phone number of the sign contractor.
- C. *Expiration date.* A sign permit shall expire if the sign has not been completed within six months after the date of issuance; provided, however, that one six-month extension of the permit shall be granted if an additional permit fee has been paid prior to the expiration.
- D. *Processing.* Upon receipt of a properly completed application, the city shall commence review no later than ten working days after the date of its submission. Review by all city officers shall be completed and the permit shall be issued or denied by the thirtieth day after submission. A permit shall be denied for any noncompliance with this article. All applications meeting the standards shall be granted.
- E. *Fees.* No permit shall be issued until the fees, as adopted by the mayor and city council, have been paid in accordance with the fee schedule kept at city hall .

**Sec. 1309. Construction and maintenance.**

- A. All signs, together with all their supports, braces, guys, and anchors shall be kept in constant good repair and, unless constructed of galvanized or non-corroding metal, shall periodically be given an appropriate protective coating. The area surrounding the base of all signs shall be maintained free of high weeds and debris.
- B. The city may periodically inspect signs to determine compliance.
- C. The permittee shall remove discarded or unusable paper, sign faces, parts and debris from the sign or sign structure.
- D. No permittee shall allow sign(s) to fall into disrepair. On first class mail written notice from the city to the sign owner and property owner, any sign which is in disrepair or vandalized shall be repaired or removed. The city shall include in the written notice a time limit for compliance of up to 30 consecutive days. An aggrieved party may appeal by filing a written notice of appeal with the city clerk as provided in section 1700, provided that the final determination shall be made within 60 days from the notice of appeal. On appeal, the standards that shall be considered in making a decision are the standards set forth in this article. If it is determined the original decision was made contrary to the standards of this article, the appeal shall be upheld. If it is determined the standards of this article were correctly applied, the decision shall be upheld and the appeal dismissed.

**Sec. 1310. Enforcement.**

- A. *Enforcement.* This article shall be administered and enforced by the city manager and/or designee.
- B. *Removal.*
  1. The city may order the removal of any sign in violation of this article. Notice shall be given by first class mail to the permittee and owner of the sign allowing up to 30 days to comply.
  2. An aggrieved party may appeal by filing a written notice of appeal with the city clerk as provided in section 1700, provided that the final determination shall be made within

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60 days from the notice of appeal. On appeal, the standards that shall be considered in making a decision are the standards set forth in this article. If it is determined the original decision was made contrary to the standards of this article, the appeal shall be upheld. If it is determined the standards of this article were correctly applied, the decision shall be upheld and the appeal dismissed.

3. If the sign is not removed within either 30 days after the order of removal or 30 days after the date of decision on any appeal, whichever is later, the city may cause the sign to be removed.

C. *Removal without notice.* The city may cause the removal of any sign in violation, without notice to any party, if:

1. The sign is on the public property; or
2. The sign poses an immediate threat to life, health or safety.

D. *Costs of removal.*

1. Any sign in violation of this article is declared a nuisance and the costs of removal shall be at the sign owner's expense.
2. Removal without notice shall be without liability to the city, its officials, officers, agents, servants or employees. The permittee and property owner shall be jointly and severally responsible for the costs of removal. If payment for such removal is not made within 60 days after the receipt of a statement, the city may certify the amount thereof for collection to the city attorney. If a sign remains unclaimed for more than 120 days from removal, it may be disposed of per O.C.G.A. §§ 44-14-411 et seq.

E. *Invalid permit or non-compliant sign.* The city may issue a removal order following the procedures of subsection B. above when a permit was improperly issued, issued on the basis of misstatement of fact or fraud, a sign has not been constructed per this article or the application or site plans, a sign permit has expired or a sign is otherwise not in compliance with this article. If a sign is not removed within ten days following receipt of a removal order the city may institute such legal proceedings hereunder against the property owner, sign owner, permittee, lessee, sign erector or a combination of the above as may be required to effect removal.

### **Sec. 1311. Fines and penalties.**

- A. *Citations.* Any responsible parties may be cited to appear in city court for the violation of this article.
- B. *Penalties.* Any person or entity convicted of violation may be punished as provided in the City Code.

### **Sec. 1312. Inspections.**

Inspection and enforcement personnel are empowered to enter into or inspect any building, structure, or premises upon which a sign subject to this article is located for inspecting the sign, its structural and electrical connections, and to ensure compliance with this article.

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**Sec. 1313. Nonconforming signs.**

- A. Signs which do not comply with this article and were legally placed before the effective date of this article shall become nonconforming. However, signs which were illegally erected, established or maintained with respect to the applicable requirements of prior ordinances shall be removed or brought into compliance within 30 days from the effective date of this article. Upon failure to comply with this article, the city may cause the removal of any nonconforming sign at the expense of the owner, per section 1310.
- B. A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of poster panels, painted boards or demountable material on nonconforming signs shall be permitted. Provided, however, if a nonconforming sign is damaged by an act of God, the owner may repair the sign but shall make the sign conforming if physically possible. If not, the sign may be repaired if the repair does not extend the natural life of the sign as it existed before the damage occurred.
- C. Minor maintenance of nonconforming signs such as repainting, electrical repairs and neon tubing shall be permitted. However, no structural repairs or changes in the size or shape of the sign shall be permitted except to make the sign comply with this article.
- D. Each sign which exists at the effective date of this article shall be registered by its owner with the city.

**Sec. 1314. Appeals.**

The applicant shall be given written notice stating the reasons the applicant's sign permit application is denied. An applicant may appeal per section 1700, provided that a final decision on any such appeal shall be made, put in writing with reasons stated, and served by first class mail on the appellant within 60 days of the notice of appeal. On appeal, the standards that shall be considered in making a decision are the standards set forth in this article. If it is determined the original decision was made contrary to the standards of this article, the appeal shall be overturned. If it is determined the standards of this article were correctly applied, the decision shall be upheld and the appeal dismissed.