

Exhibit "A"

Chapter 74 - SIGNS

ARTICLE I. - IN GENERAL

Sec. 74-1. - Purpose and findings.

The Mayor and Council find that 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. The purpose of this chapter is to balance the need to protect the public safety and welfare, the need for a well-maintained and attractive community, and the need for adequate identification, communication, and advertising. These regulations are further intended to:

- (1) Allow businesses, institutions, and people to exercise their right to free speech by displaying messages on a sign, and to allow audiences to receive such information;
- (2) Enhance the economy and the business and industry of the City by promoting the reasonable, orderly, and effective display of signs and thereby encourage increased communication with the public;
- (3) Ensure that signs are desired constructed, installed and maintained according to minimum standards to safeguard life, health, property and public welfare;
- (4) Reflect and support the desired ambience and development patterns of the various zoning districts and promote an attractive built environment;
- (5) Allow for adequate and effective signs whose dimensional characteristics further the interest of public safety and the needs of the motorist, where signs are viewed from a public right-of-way;
- (6) Promote the state purposes of the city ordinance, as amended, which are expressly incorporated herein;
- (7) Promote the stated purposes of the standard building code, as adopted and modified by the city, which are expressly incorporated herein.

The regulations of this chapter dictate the types, location and physical standards of signs that are permissible for specified uses, subject to the sign permit procedures of the City. The regulations of this chapter shall be in addition to any required provisions of the Georgia Code and the applicable Building Code administered by the city related to the construction and maintenance of signs.

The regulations of this article shall:

- (1) Govern and control the erection, enlargement, expansion, alteration, operation, maintenance and relocation of any sign that is visible from any public right-of-way or public or private common open space; and
- (2) Govern the removal of signs determined to be physically unsafe or which create a safety hazard to the public.

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

Sec. 74-2. - 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.

Banner means a piece of fabric or similar material that is attached to a pole, enclosed in a frame, or mounted as a temporary sign device.

Billboard sign means a type of ground sign which is permitted in certain zoning districts as provided by this article, and which shall be a maximum of 35 feet in height and 240 square feet in sign face area, and which is greater than 100 square feet in sign face area. Billboards may be double-faced, and may include embellishments not exceeding an additional 50 square feet.

Directional sign means a sign dedicated to providing traffic direction such as enter, exit, drive through, etc. Limited to three feet in height and no larger than four square feet in sign area.

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.

Electronic message board (EMB). A form of changeable copy sign that is electrically activated and whose variable message or graphic presentation capability can be electronically programmed by computer from a remote location. EMBs typically use light emitting diodes (LEDs) as a lighting source.

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.

Hanging/shingle-type signs means a sign no larger than six square feet in area, with a clearance of seven feet eight inches above the sidewalk or ground. Such a sign shall be attached firmly and perpendicular to a building. Such a sign may be double-faced but may not be more than four inches thick.

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 permanent monument sign designed so that the base of the sign face is flush with the supporting base, and the supporting base is flush with the ground and extends the full width of the sign face and shall not exceed six feet in height, and 60 square feet in total area which shall include sign and structure. Such a sign shall require a building permit as provided in Chapter 94 of the City Code in addition to any permits required under this chapter.

Mural means a painting or other work of art executed directly on an outer wall of a commercial building.

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.

Portable signs means a mobile/temporary electric or non-electric sign that is mounted on a trailer or trailer-type frame with wheels or skids or a portable wood or metal frame and is not permanently attached to the ground or to any building or other structure. The definition of portable sign does not include messages painted directly upon or attached by sticker or magnetic backing to a motor vehicle or placed within a motor vehicle such that it may be viewed from outside the vehicle through windows.

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.

Shopping center means a commercial area apart from the central business district consisting of two or more businesses in one or more buildings in any linear or other arrangement and providing not less than 75 off-street parking spaces.

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.

Streamers means a sign consisting of narrow strips of plastic, cloth, or similar material used to direct attention to a building, sign, or physical location on a temporary or permanent basis.

Strip center means a commercial area apart from the central business district consisting of two or more businesses in one or more buildings in any linear or other arrangement and providing at least 25 off-street parking spaces.

Temporary sign means a sign of a nonpermanent nature.

Wall sign means a sign fastened, placed or painted upon or parallel to the exterior wall of the structure itself, and may be located on multiple walls provided each sign faces a street or parking lot. The term "wall sign" does not include a mural as defined in the City Code.

Window cling sign means a sign that depicts the appearance of the building upon possible future occupancy.. Window cling signs may include information about the sale or lease of the building, but are not considered real estate signs under section 74-3.

Window sign means a sign installed flush with or on a window and intended to be viewed from the outside, and cannot exceed 30 percent of the available window space. Window signs shall not count towards the maximum aggregate sign area.

(Code 1986, § 5-172; Ord. No. O-05-08-19, 8-18-2005; Ord. No. O-2015-9, Exh. A, 6-18-2015)

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) Non-illuminated, temporary freestanding signs (excluding banners which are regulated in accordance with section 74-81. For R-1, R-2, R-3, and R-3a zoning districts there will be no limitation). For C-1, C-2, C-3, I-N, N-S, I, and A-G zoning districts each lot will be allowed not more than two signs up to four square feet. In addition, each sign shall not be greater than three feet above ground level. These 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.
 - (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.
 - (8) Banners and flag-type banners.
- (c) Window cling signs shall not count towards the maximum aggregate sign area limits provided in subsection 74-85(g) but shall not be exempt from the permit requirements of section 74-49.
- (d) 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; Ord. No. O-2015-9, Exh. A, 6-18-2015)

Sec. 74-4. - Prohibited signs.

The following types of signs are prohibited throughout the city:

- (1) Roof signs.
- (2) Signs on public rights-of-way other than publicly owned or maintained signs.
- (3) Window signs, other than those specified as exempt in Section 74-3, which exceed 30 percent of the window area.
- (4) Signs that contain words, pictures, or statements that are obscene, as defined by O.C.G.A. § 16-12-80.
- (5) Signs that simulate an official traffic control or warning sign or hides from view any traffic or street sign, signal, or public service sign.
- (6) 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.
- (7) Signs which interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.
- (8) Signs erected by nailing, fastening, or affixing the sign in any manner to any tree, post, curve, utility pole, fence, or other structure except as set forth herein.
- (9) Streamers.
- (10) Portable signs.

(Code 1986, § 5-179; Ord. No. O-05-08-19, 8-18-2005; Ord. No. O-2015-9, Exh. A, 6-18-2015)

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 30 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.

ARTICLE II. - ADMINISTRATION AND ENFORCEMENT

DIVISION 1. - GENERALLY

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.

Administrative variances. The planning and inspection director shall be able to authorize a variance for minimal or minor variations from the requirements of the sign ordinance including, but not limited to, maximum height, maximum size in square feet, minimum ground clearance, or any distance or setback requirement where the minimal variation does not vary 25 percent. The planning and inspection director shall use the same criteria as the board of appeals in subsection 94-88(3).

(Code 1986, § 5-187; Ord. No. O-05-08-19, 8-18-2005; Ord. No. O-2015-9, Exh. A, 6-18-2015)

Secs. 74-31—74-48. - Reserved.

DIVISION 2. - PERMITS

Sec. 74-49. - Required.

- (a) 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.
- (b) *Work on illegal signs.* No person shall erect or assist in the erection, construction, maintenance, alteration, relocation, repair or painting of, or do any work upon any sign for which a permit has not been obtained. Any such sign shall be illegal and the director of planning and inspection shall order the owner to remove the sign immediately. If the owner fails to remove the sign within 30 days, the director of planning and inspection shall proceed in accordance with this article.
- (c) *Inspection.* All signs for which a permit is required by this article are subject to inspection by the director of planning and engineering, chief building inspector, or their designees.
- (d) *Revocation.* The director of planning and inspection is hereby authorized and empowered to revoke any permit issued by him upon failure of the holder thereof to comply with the provisions of this section within ten days after notification in writing.
- (e) Where the sign construction requires an electrical connection, the electrical contractor shall obtain an electrical permit.

(Code 1986, § 5-173; Ord. No. O-05-08-19, 8-18-2005; Ord. No. O-2015-9, Exh. A, 6-18-2015)

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) A drawing of the proposed sign showing dimensions and construction specifications. There may be circumstances such that in order to protect public health, safety and welfare the drawing must be prepared and signed by an architect or engineer licensed by the State of Georgia. This will be determined by the director of planning and inspection.

(Code 1986, § 5-174; Ord. No. O-05-08-19, 8-18-2005; Ord. No. O-2015-9, Exh. A, 6-18-2015)

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—74-80. - Reserved.

ARTICLE III. - RESTRICTIONS AND REQUIREMENTS

Sec. 74-81. - Banners and moving signs.

- (a) Banners shall be limited to 32 square feet; only one banner per property or road frontage; and only permitted in C-1, C-2, C-3, I-N, I, A-G, and N-S zoning classifications, and it must be mounted or attached to a building or attached to a pole, mast, arm or other structure. Banners may only be exhibited six times each calendar year for a period of not more than 14 consecutive days during each period. Banners shall be maintained in good repair and shall be maintained free of defects such as holes, tears, fading, cracks, breaks or missing portions. Upon written notice of any such defects the banner must be repaired or removed.
- (b) Flag-type banners shall be limited to 32 square feet; only two flag-type banners per property or road frontage; and only permitted in C-1, C-2, C-3, I-N, I, A-G, and N-S zoning classifications, and it must be mounted or attached to a pole, mast or arm. Banners may only be exhibited six times each calendar year for a period of not more than 14 consecutive days during each period. Banners shall be maintained in good repair and shall be maintained free of defects such as holes, tears, fading, cracks, breaks or missing portions. Upon written notice of any such defects the banner must be repaired or removed.
- (c) Moving signs, or signs with moving parts, shall be limited to 20 feet in height from the ground and 75 square feet of area and must be placed no closer than 20 feet from the back of curb. Air- or gas-filled devices may only be exhibited six times each calendar year for a period of not more than 14 consecutive days during each period. Air- or gas-filled devices shall be maintained free of defects such as holes, tears, fading, cracks, breaks or missing portions. Upon written notice of any such defects the air- or gas-filled devices must be repaired or removed.
- (d) Permits are required for moving signs. Written application shall be made to the building official. The building official shall establish an application form and the permit fees.

(Ord. No. O-2015-9, Exh. A, 6-18-2015)

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

Following are the restrictions in residential zoning districts:

- (1) Other than subdivision entrance signs and entrance signs for property zoned as R-3 and R-3A as 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, and parcels zoned as R-3 and R-3A 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 but shall require a building permit as provided in Chapter 94 of the City Code in addition to any permits required under this chapter.

(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 240 square feet of sign area. Billboard sign faces shall not exceed 12 feet in height or 24 feet in length. Billboard signs may not exceed 35 feet in total height.
 - (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 3,000 feet of another billboard sign.
 - (5) No billboard sign shall be located within 1,000 feet of residential zoned parcels.
 - (6) No billboard sign shall be located within 1,000 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 1,000 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 1,000-foot zone is not visible from the public park, public playground, public recreation area, public forest, scenic area or cemetery.
- (d) *Freestanding signs.*

- (1) One double-faced sign per lot. Maximum square footage for each sign face shall be 1-½ square feet for each linear foot of building frontage facing the public right-of-way, provided that no sign face may exceed 70 square feet. Maximum height for each sign structure shall be 25 feet.
 - (2) In shopping centers, one freestanding sign having a maximum area of 1-½ square feet for each linear foot of building frontage for the identification of a shopping center and the businesses therein shall be permitted. The maximum allowed signage for any shopping center (to identify the shopping center and businesses therein) shall be 300 square feet in area. Such a sign shall not exceed 25 feet in height from the ground level. Where a shopping center is located on a corner lot and where vehicle entrances are provided on two streets, the 300 square foot maximum may be divided between two signs, provided that the combined square footage of both signs does not exceed 300 square feet.
 - (3) In strip centers, one freestanding sign having a maximum area of 1-½ square foot for each linear foot of lot frontage for the identification of the strip center and the businesses therein shall be permitted. The maximum signage allowed for any strip center sign shall be 100 square feet in area. Such a sign shall not exceed 25 feet in height from the ground level. A portion of the allowed signage area may be utilized for a marquee-type sign. Where a strip center is located on a corner lot and where vehicle entrances are provided on two streets, the 100 square foot maximum may be divided between two signs, provided that the combined square footage of both signs does not exceed 100 square feet.
 - (4) Freestanding 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. and shall require a building permit as provided in Chapter 94 of the City Code in addition to any permits required under this chapter.
- (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) *Murals.*
- (1) A mural shall be painted upon the exterior wall of a commercial or industrial building located in the corporate limits of the City, provided that the owner of the building obtains a permit therefor.
 - (2) The application for a mural permit shall be submitted to the City Clerk in writing. The City Clerk shall refer such application to the City Planning Department for review, approval, or denial. The fee for such application shall be as provided in the City's Code of Ordinances. The provisions of Chapter 74, Article II, Division 2 of the City's Code relating to sign permits shall be applicable to all mural permit applications, the issuance and denial of permit applications, the revocation of permits, and the expiration of permits, all as provided in Sec. 74-49 through Sec. 74-53 of the City Code.
 - (3) The permit application shall include a sketch, drawing, or other legible depiction of the proposed mural to be painted pursuant to the permit application.

- (4) No mural shall be painted upon the wall or windows which constitute the front of any building. A mural shall only be painted upon the sides or rear of a building.
- (5) No mural shall project beyond the building face.
- (6) No mural shall be painted on any building without the building owner or owners obtaining a permit therefor. Any person painting a mural on a building without permission of the owner, or without the owner having a permit therefor shall, upon conviction or entry of a plea of guilty or nolo contendere to a violation of this Ordinance, shall be subject to punishment as provided in Section 1-8 of this Code.
- (7) Murals may be painted upon commercial or industrial buildings located in the City's Historic District; however, any murals painted on buildings in the Historic District shall be subject to the applicable provisions of Section 74-86 of this Code. Any lighting of a mural shall be undertaken solely by lighting permanently fastened or affixed to the building where the mural is located, not shine light into any street, and shall be approved as part of the mural permit application process.
- (8) Any mural shall be maintained in good condition by the owner of the building. No mural shall be allowed to fade, deteriorate, become illegible, or to otherwise to become an eyesore. Any mural which violates the provisions of this subsection shall be painted over or removed by the owner of the building within thirty (30) days of written demand from the City to do so.
- (8) Murals shall not contain words, pictures, or statements that are obscene, as defined under O.C.G.A. § 16-12-80.
- (9) Murals shall be considered signs for the purposes of Chapter 74 of this Code of Ordinances, and all provisions of the City sign ordinance shall be applicable to murals except as otherwise specifically provided in this subsection.

(Code 1986, § 5-183; Ord. No. O-05-08-19, 8-18-2005; Ord. No. O-2015-9, Exh. A, 6-18-2015)

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 6030 days unless replaced with another sign of the same material. Any such replacement signs may be posted for a maximum of 6030 days.

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

Sec. 74-88. - Illumination.

- (a) Signs cannot be illuminated in the R-1, R-2, R-3, and R-3A zoning districts. Signs may be illuminated in all other districts, subject to the following provisions.
- (b) Signs which flash, blink, or display scrolling illumination are not permitted. Except as expressly provided in this article, no sign may use images changing more frequently than once-per-minute every fifteen seconds; except as otherwise provided, no sign may display pictures changing more frequently than once-per-minute every fifteen seconds. No external or internal illumination that causes confusion with or distraction from any traffic signal or safety device shall be permitted.
- (c) All externally illuminated signs shall utilize low wattage luminaries, mounted in fixtures designed to direct the light and eliminate light trespass, such as light shining into residences or other neighboring structures.
- (d) All internally illuminated signs shall utilize low wattage luminaries designed to reduce light glow.
- (e) All illuminated signs over ten feet in height shall be internally illuminated or illuminated by external lighting fixtures located above the sign area, firing downward, and not visible to passing motorists.
- (f) No sign shall give off light, which glares, blinds, or has any other adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways. This shall be determined by measuring the footcandles (lumens per square foot) that fall on adjacent properties. No sign shall exceed one-half (0.5) footcandles at any adjacent property line in a residential district and two footcandles at any public right-of-way.

(Code 1986, § 5-189; Ord. No. O-05-08-19, 8-18-2005; Ord. No. O-2015-9, Exh. A, 6-18-2015)

Sec. 74-89. - Multiple-message signs.

- (a) Multiple-message signs are those which change the message or copy on the sign face mechanically or electronically by movement or rotation of panels or slates, or by changing electronic display on the sign face. Except as expressly provided in this article for multiple-message billboards, such signs are not permitted in the C-3, R-1, R-2, R-3, and R-3A zoning districts and the historic district, but are permitted in all other zoning districts.
- (b) No multiple-message sign may change its message or copy, or any pictures or images that are part of the message, more frequently than once every minute, provided that multiple-message billboards shall be allowed to change the copy or images that are part of the message not more frequently than once every ten seconds.
- (c) When the message of a multiple-message sign is changed mechanically, it shall be accomplished in three seconds or less. When the message of a multiple-message sign is changed in an electronic manner, through the use of light emitting diodes, back lighting or other light source, the transition shall occur within two seconds.
- (d) Except as expressly provided in this article in regards to billboards, the portion of the sign face of a multiple-message sign which accommodates multiple-messages shall not exceed 50 percent of the total sign face area and may not change its message or copy, or any pictures or images that are part of the message, more frequently than once every minute; the remaining portion shall be static.
- (e) When any multiple-message sign is located within 250 feet of any residential district, the display of multiple-messages shall discontinue between the hours of 11:00 p.m. and 7:00 a.m. and the sign shall be static and not display more than one message during that period.
- (f) Multiple-message signs which are illuminated or which use electronic lighting to display message shall be subject to the restrictions and limitation applicable to illumination in this article.
- (g) There shall be located no more than one multiple-message sign per lot, and such sign shall be permitted only on a ground sign or freestanding structure, and not on any wall sign or window sign.
- (h) The total number of multiple-message billboards within the city shall be limited to eight sign faces. After the adoption of this article, new multiple message billboards shall only be permitted when both of the following location requirements are met:
 - (1) The proposed multiple-message billboard is to be erected on an existing billboard sign structure as of the date of the adoption of this article or at the location of and as a replacement for such an existing billboard sign structures. A list of such existing billboard sign structures known to the city is attached [by reference] as exhibit A to the ordinance adopting this article, and identified as "Billboards existing in the City of Americus, Georgia, as of July, 2015;" and
 - (2) The proposed multiple-message billboard will be located facing one of the following designated public right-of-way, which are deemed by the city council to be the only rights-of-way within the city where multiple-message billboards are appropriate.
- (i) Multiple-message billboards constructed after the adoption of this article shall be located at least 5,000 feet from existing billboards using a multiple-message sign face, measured from the base of the billboard along the street frontage to the base of the nearest existing billboard using a multiple-message sign face on the same side of the street, and 3,000 feet from any existing billboard using a multiple-message sign face, measured along the shortest straight-line from sign structure to sign structure.
- (j) No multiple-message sign shall be permitted in any historic district of the city.

(Ord. No. O-2015-9, Exh. A, 6-18-2015)

Sec. 74-90. – Electronic Message Boards

- (a) EMBs are permitted only in non-residential zoning districts and are not permitted in the downtown

or Historic Districts, except as otherwise provided by the City Code.

- (b) EMBs shall be set back 150 feet from a residential dwelling unit, provided however that the set back distance may be reduced at the discretion of the director of planning development if the residential dwelling unit is fully screened from the EMB.
- (c) EMBs may be an element of a monument, freestanding, or window sign. Any sign containing an EMB shall be subject to the provisions of this section in addition to the provisions of any other section of this chapter governing the type of sign containing said EMB.
- (d) An EMB display shall remain unchanged for a minimum of 15 seconds.
- (e) EMBs displaying animated and/or video images are prohibited.
- (f) Intensity of light.
 - (1) The EMB shall be required to be equipped with an automatic dimming photocell which shall automatically adjust the EMB's brightness based on ambient light conditions.
 - (2) The brightness level shall not increase by more than 0.3—foot candles (or 3.23 lumens per square meter or lux), over ambient lighting levels, as measured using a footcandle meter at a pre-set distance.
 - (3) The procedure and distances for measurement of brightness shall be as established by the International Sign Association's "recommended Night-time Brightness Levels for On-Premise Electronic Message Centers."
- (e) Default control.
 - (1) EMBs shall be equipped to freeze the display in one position if a malfunction occurs.
 - (2) EMBs shall be equipped with a means to immediately discontinue the display if it malfunctions.
 - (3) The owner of the EMB must immediately stop the display when notified by the Community Development Director that the sign is not complying with the standards of this section.

Secs. 74-91—74-110. - Reserved.