SIGNS

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ARTICLE 1
GENERAL PROVISIONS

This Article shall hereafter be known and cited as the "City of Chattahoochee Hills Sign Ordinance."

ARTICLE 2
PURPOSE AND FINDINGS

A. Purpose. This Article was enacted with the following purposes:
   1. To protect the rights of individuals and Businesses to convey their messages through Signs;
   2. To encourage the effective Use of Signs as a means of communication;

3. To promote economic Development;
4. To improve traffic and pedestrian safety as it may be affected by distracting Signs;
5. To prevent the destruction of the natural beauty and environment of the City;
6. To protect the public health, safety, and general welfare;
7. To restrict the continued existence of abandoned or non-conforming Signs unless in compliance with the terms of this Article and to eliminate, over time, all non-conforming Signs;
8. To ensure the fair and consistent enforcement of Sign standards; and
9. To make it easier, quicker, and more economically efficient to apply for a Sign permit.

B. Findings.
1. The City 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 such 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.
2. The City further finds that the regulation of the size, Height, number and spacing 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 protect the public investment in Thoroughfares, to maintain the tranquil environment of Residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically Appealing community compatible with its rural setting, to protect the natural environment, and to provide for the orderly and reasonable display of advertising for the benefit of all the City's citizens.
3. The City further finds that there is a substantial difference between Signs erected by public authority and Signs erected by private citizens or Businesses. Signs erected by public authority are virtually all erected for the purpose of maintaining the public safety either through direct control of traffic or through provision of such type Signage as Thoroughfare Signs which enable the traveling public to know where they are located and to find where they are going. As such, The City’s Wayfinding program is a tool developed and maintained to control the visual appearance of public signage in order to safely communicate services and locations available to the traveling public. With the exception of Signs identifying government Buildings, virtually all government Signs are erected purely for public safety purposes. Moreover, their use in the Public Right-of-Way is necessary to ensure their visibility to the motoring public. The City Council finds that public utility Signs are frequently of the same nature as those Signs erected by governmental entities in that they provide necessary information to safeguard the public from downed power lines and from Thoroughfare excavations. Even where Signs serve a propriety purpose, such as identifying markings on utility poles, those Signs are marked primarily for the purpose of benefiting the public generally through identification of locations where there may be temporary losses of power.

4. The City further finds that some Signage has a single targeted function and that identification of such Signage by description is impossible without referring to its function. For instance, address numerals are used for the sole purpose of locating addresses, which is of benefit to Persons looking for those addresses and is essential to public safety personnel responding to emergencies. Subdivision Signs at the entrances to Subdivisions favor a similar purpose in enabling both the traveling public and emergency personnel to quickly locate Subdivision entrances for the purpose of either visitation or responding to emergency calls. While such Signage is referenced based upon the function it serves within the context of this ordinance, the bulk of the provisions of this Zoning Ordinance are unrelated to the content of the speech provided and allow maximum expressive potential to Sign owners.

ARTICLE 3
INCORPORATION OF ZONING BY REFERENCE

The City of Chattahoochee Hills has adopted a Zoning Ordinance and an Official Zoning Map which, together with all explanatory matter thereon, are hereby adopted and incorporated by this reference and hereby made a part of this Ordinance.

ARTICLE 4
DEFINITIONS

Words and phrases used in this Article shall have the meanings set forth in this Section. Words and phrases not defined in this Section, but defined in the Zoning Ordinance of the City of Chattahoochee Hills, shall be given the meanings set forth in such Zoning Ordinance. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this Article.

Abandoned Sign. Any Sign that contains or exhibits broken panels, visible rust, visible rot, damaged Support Structures, or missing letters or which is otherwise dilapidated, unsightly, or unkempt, and for which no Person accepts Maintenance responsibility.

Animated Sign. Any Sign, or part of a Sign, that uses any movement or change of lighting or color to depict action or create a special effect or scene.

Applicable Wall Area. The wall on which a Wall Sign is attached including all walls and windows that have the same Thoroughfare or pedestrian orientation. All open air spaces shall be excluded from the Applicable Wall Area.

Audible Sign. Any Sign which emits a sound which is audible or emits a signal which can be converted into audible sounds, whether by radio or other means.

Awning/Canopy Sign. 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.

Banner. A Sign other than a Flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, or fabric that is intended to be hung either with a frame or without a frame. Neither flags nor Canopy Signs are considered Banners.

Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same Lot as the light source; also, any light with one or more beams that rotate or move.

Billboard. A Freestanding Sign with an area of more than 72 square feet.

Blade Sign. A sign, attached to a wall on one side, and projecting out from the wall, with (a) sign face(s) perpendicular to the wall.

Changeable Copy Sign. Any Sign that incorporates changing lights, lettering, or images to form a Sign message or messages, whether such changes are accomplished electronically or manually.

Directory Sign. A single Sign for multiple Businesses, Offices, professionals, industries, or other entities located within a planned center.

Fall Zone. An area equal to 133 percent of the Height of the Structure in every direction.

Flag. Any fabric or bunting containing colors, patterns, or symbols used as a symbol of a government or other entity or organization.

Flashing Sign. A Sign, the Illumination of which is not kept constant in intensity at all times when in Use and which exhibits marked changes in lighting effects.

Freestanding Sign. Any Sign supported by Structures or supports that are placed on, or anchored in, the ground and that are independent from any Building or other Structure. A permanently affixed Sign which is wholly independent of a Building for support with a base of a width not less than the width of the Sign Face. May be externally illuminated

Height, Sign. The elevation measured from Grade level adjoining a Sign to the highest point on the Sign; except that when measuring a free-standing Sign, any part of which is located below the centerline of an Adjoining Thoroughfare, said Sign shall be measured from the elevation of the centerline of the Thoroughfare to the highest point on the Sign.

Illuminance. The quantity of light arriving at a surface divided by the area of the illuminated surface, measured in Foot Candles. Horizontal Illuminance applies to a horizontal surface, vertical Illuminance applies to a vertical surface. Average Illuminance is the level of Illuminance over an entire illuminated target area. Maximum Illuminance is the highest level of Illuminance on any point within the entire area; minimum Illuminance is the lowest level of Illuminance on any point within the entire area.

Illuminance Levels. Illuminance Levels and Foot Candles noted in this ordinance mean the maintained Illuminance Levels; the Illuminance Levels occurring just prior to Lamp replacement and Luminaire cleaning. The average Illuminance Level applies to an entire illuminated target area. Minimum and maximum Illuminance Levels apply to small areas within the entire illuminated target area. Unless otherwise noted, Illuminance Levels refer to horizontal Illuminance Levels.

Illumination. Direct Illumination is Illumination that is projected from within a Sign, Building, or similar Structure. Indirect Illumination is Illumination that is projected onto a Sign, Building, or similar Structure.

Illuminated Sign, External. A Sign illuminated by an external light source. Such source cannot be a device that changes color, flashes or alternates.

Illuminated Sign, Internal. A Sign illuminated by an internal light source. Such source cannot be a device that changes color, flashes, or alternates.

Lamp. The component of an outdoor Luminaire that produces light.

Maintenance. The upkeep of a Sign for the purpose of maintaining safety and appearance which may include painting, bulb replacement, panel replacement, letter replacement, repair of electrical components, and structural reinforcements to its original condition.

Marquee Sign. Any permanent roof-like Structure projecting beyond a Building or extending along and projecting beyond the wall of the Building, generally designed and constructed to provide protection from the weather.

Moving Sign. A Sign which revolves, rotates, swings, undulates, or otherwise attracts attention through the structural movement of parts.

Multi-tenant. One or more Buildings, located on a single premise, containing two (2) or more separate and distinct individual establishments, which occupy separate portions of the Building and which are physically separated from each other by walls.

Obscene. Material is Obscene if to the average Person, applying contemporary community standards, taken as a whole, it predominantly Appeals to the prurient interest, that is, a shameful or morbid interest in nudity, sex or excretion; the material taken as a whole lacks serious literary, artistic, political or scientific value; and the material depicts or describes, in a patently offensive way, sexual conduct specifically defined as: (A) acts of sexual intercourse, heterosexual or homosexual, normal or perverted, actual or simulated; (B) acts of masturbation; (C) acts involving excretory functions or lewd exhibition of the genitals; (D) acts of bestiality or the fondling of sex organs of animals; or (E) sexual acts of flagellation, torture, or other violence indicating a sadomasochistic sexual relationship.

Out of Store Marketing Device. An Out of Store Marketing Device is any facility or equipment which is located outside of a primary Building on a site zoned for Non Residential Uses, which is used for the primary purpose of providing a product or service without the owner's immediate presence, and which is manufactured to include a color, form, graphic, Illumination, symbol, and/or writing thereon to communicate information regarding the product or service provided thereby to the public. Examples of out-of-store marketing devices include: fuel pumps, bank ATM units, vending machines, newspaper racks, drink machines, ice boxes, and phone booths.

Pennant, Streamer. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

Permanent Sign. Any Sign which, when installed, is intended for permanent Use. A permanent Freestanding Sign shall be of a type and construction as not to be easily or readily removed from the Lot on which it has been erected.

Permit. A Sign permit reviewed, approved, and issued by the Director.

Permittee. The Person and/or entity owning or leasing the land on which the Sign is erected or for which an application has been submitted.

Person. A natural or legal person, including a firm, organization, partnership, trust, and corporation.

Portable Sign. A Sign which is not permanently affixed to the ground or to a Structure, including but not limited to signs on trailers or signs mounted or painted on vehicles which are parked in such a manner as to serve the purpose of a Sign.

Projecting Sign. Any Sign which is suspended or projected from the wall, eave, or soffit of the Building.

Public Sign. Any Sign erected by a governmental entity.

Roof Sign. Any Sign erected and constructed wholly on and over the roof of a Building, or supported by the roof Structure.

Sign Face. That part of a Sign that is or can be used for advertising purposes.

Spill Light. The light that illuminates surfaces beyond the intended area of Illumination caused by the uncontrolled Direct Light component from the Luminaires.

Standard Informational Sign. A Sign with an area of not greater than three (3) square feet, with a Sign Face made for short term Use, containing no reflecting elements, flags, or projections and which, when erect, stands at a Height not greater than three (3) feet and is mounted on a stake or metal frame with a thickness or diameter not greater than one and one-half (1½) inches.

Suspended Sign. Any Sign which is suspended from the eave or soffit of the Building.

Temporary Sign. Any Sign that is not permanently mounted.

Tenant Panels. An On-Premise Sign panel(s) that lists the name of tenants within a shopping center or Development which the primary Sign identifies.

Wall Sign. Any Sign attached parallel to a wall, painted on the wall surface or erected and confined within the limits of an outside wall of any Building or Structure, which is supported by such wall or Building and which displays only one Sign surface. No Wall Sign shall extend more than six (6) inches from any wall, Building, or Structure.

Window Sign. Any Sign that is placed inside a window or upon the window panes or glass, either inside or outside the Building, and is visible from the exterior of the Structure.

ARTICLE 5
POWERS AND DUTIES OF PERSONNEL

The Director is hereby authorized and directed to administer and enforce this Article, unless otherwise specifically provided by resolution of the City of Chattahoochee Hills City Council.

ARTICLE 6
APPLICABILITY

The standards of this Article shall apply to all signs erected within the corporate limits of the City.

ARTICLE 7
PERMIT REQUIRED

Except where specifically not required by the standards of this Article, it shall be unlawful for any Person to post, display, materially change, or erect a Sign in the City without first having

obtained a Sign Permit. Notwithstanding the foregoing, signs which are not visible from a Public Right-of-Way or from neighboring properties shall not be subject to the standards of this Article.

ARTICLE 8
FEES REQUIRED

No Permit shall be issued until the appropriate application has been filed with the Director and fees, as set from time to time by Resolution of the City Council, have been paid.

ARTICLE 9
APPLICATION CONTENT

Applications for Sign permits required by this Article shall be filed along with two (2) additional copies by the Person owning the subject Lot, or the owner's agent with express permission of the owner. The application shall describe and set forth the following:

A. The type and purpose of the Sign as defined in this Article.
B. The value of the Sign.
C. A drawing to Scale showing the Thoroughfare address of the Property upon which the subject Sign is to be located, the proposed location of subject Sign on subject Property, the distance of the proposed Sign from the subject Property's boundaries, and all existing Structures or Buildings on the subject Property.
D. The square foot area per Sign and the aggregate square foot area if there is more than one (1) Sign Face.
E. The name(s) and address(es) of the owner(s) of the real Property upon which the subject Sign is to be located.
F. Written consent of the owner of the Property, or his/her agent, granting permission for the placement, Maintenance, size, and Height of the subject Sign to be placed on the Property.
G. For Wall Signs: Two sets of Building elevations.
H. The name, address, telephone number, and Business license number of the Sign contractor. All applicants for signs which incorporate electricity must obtain an electrical permit.
I. Sign details, including a proposed color scheme of Sign, and Scaled elevation of the size and Height of the proposed Sign from Ground Level and adjacent Thoroughfare level.
J. The Zoning District in which the subject Property is located, and a statement of compliance with all requirements of the Zoning District.

ARTICLE 10
COMPREHENSIVE SIGN PLAN

The comprehensive sign plan is a program that may allow developers, business owners, residential communities, or other such projects to request special consideration of signs that are specifically integrated into the overall architectural style or theme for that project. Because signage serves an important role in the overall site design and aesthetic, a comprehensive sign plan can create an effect both desired and unique that will enhance the overall environment of

the development. However, it is not the intent of this section to be used to request relief of the sign regulations in order to circumvent any requirements or purpose of this ordinance; signs prohibited under the sign regulations may not be approved in a Comprehensive Sign Plan.

A. Condition of Plan Approval. Comprehensive sign plans may be required by the city council or planning commission as part of any project approval.
B. Application Information. Any comprehensive sign plan application shall be submitted to the planning department. The application shall describe and set forth the following:
    a. The type and purpose of the Sign as defined in this Article.
    b. The value of the Sign.
    c. A drawing to Scale showing the Thoroughfare address of the Property upon which the subject Sign is to be located, the proposed location of subject Sign on subject Property, the distance of the proposed Sign from the subject Property's boundaries, and all existing Structures or Buildings on the subject Property.
    d. The square foot area per Sign and the aggregate square foot area if there is more than one (1) Sign Face.
    e. The name(s) and address(es) of the owner(s) of the real Property upon which the subject Sign is to be located.
    f. Written consent of the owner of the Property, or his/her agent, granting permission for the placement, Maintenance, size, and Height of the subject Sign to be placed on the Property.
    g. For Wall Signs: Two sets of Building elevations.
    h. The name, address, telephone number, and Business license number of the Sign contractor. All applicants for signs which incorporate electricity must obtain an electrical permit.
    i. Sign details, including a proposed color scheme of Sign, and Scaled elevation of the size and Height of the proposed Sign from Ground Level and adjacent Thoroughfare level.
    j. The Zoning District in which the subject Property is located, and a statement of compliance with all requirements of the Zoning District.
C. Authority and Review. The planning commission shall have the authority under the conditions provided in this chapter to permit the utilization of comprehensive sign plans and may approve signs that are more restrictive than the sign regulations set forth in this chapter.
    a. All comprehensive sign plan requests shall be heard by the planning commission at a public hearing. The applicant, their authorized agent, property owners and operators of the businesses affected shall be notified by mail of the time and place of the hearing.
    b. Exceptions to the sign regulations in this chapter may be permitted, provided the planning commission finds that the comprehensive sign plan as a whole is in conformity with the purpose of this chapter and such exceptions are for the general welfare resulting in an improved relationship among the various signs, building facades, or overall project covered by the plan.

c. The planning commission may require special conditions on approved plans such as, but not limited to, bonds or other type of security to ensure the removal or abatement of signs that are abandoned or are in violation of any condition of an approved plan, or a time schedule for any sign program where signage is not considered permanent.
d. An approved comprehensive sign plan may be changed or modified subject to the same process as a new application.
e. The planning director may grant minor changes to an approved comprehensive sign plan provided any such change does not alter the overall architectural design or style of signs approved by such plan, and there is no increase in the total area of signs.

D. Future Signs. A comprehensive sign plan may be approved where signs for outparcels or other such detached future buildings have not been identified and considered under such approved plan. In these instances, unless otherwise conditioned, such future signs shall be subject to the requirements of the zoning district.
E. Existing Signs as Part of a Comprehensive Sign Plan. If any new or amended comprehensive sign plan is filed for property on which existing signs are located, those signs shall be integrated into the plan and shall be in compliance with that plan prior to issuance of a permit for any new sign permitted under said plan.
F. Permits Prohibited Until Decision Rendered. No permit shall be issued for any sign on property where a comprehensive sign plan has been applied for and is pending a decision from the planning commission.
G. Withdrawal of Plan. An approved comprehensive sign plan may be withdrawn by the applicant provided: (1) it is not required as a condition of project approval; (2) no signs have been installed pursuant to such plan; (3) all signs installed since approval of said plan comply with the requirements of the zone district in which they are located; or (4) all signs in the center or project comply with the provisions of the zone district in which they are located. The withdrawal shall be submitted in writing to the planning department.
H. Binding Effect. After approval of a comprehensive sign plan, no signs shall be erected, placed, painted, installed, or otherwise permitted, except in conformance with said plan. The plan shall be enforced in the same manner as any other provision in this chapter. The comprehensive sign plan shall be attached to the lease agreements or sale of space within the project and becomes binding for the entire site for both existing and future owners/tenants. In case of any conflict between the provisions of the plan and this chapter, the approved plan shall control.

ARTICLE 11
APPLICATION REJECTION

A. Incomplete; False. The Director shall reject any application that is incomplete or inaccurate, that contains false material statements or omissions, or that is for a Sign which would

violate any standard within this Article within 45 business days of receipt of said application. The Director may reject at any time prior to the expiration of the 45 day period, if the application is incomplete, inaccurate or contains false material statements or omissions, by returning the application to the applicant.

B. Processing Time; Denial. The City shall process all complete and accurate Sign Permit applications within 45 Business days of the City's actual receipt of a complete and accurate application and upon remittance of the appropriate Sign Permit fee. The Director shall give notice to the applicant of his/her decision by hand delivery or by mailing such notice by certified mail, return receipt requested, to the address on the Permit application on or before the 45th Business day. If the decision of the Director is to deny the application, the decision shall state the grounds upon which the denial is based. Failure of the City to act within the 45 day period shall be deemed a denial of the Permit. If notice is mailed in conformity with this Section, notice shall be deemed to have been given upon the date of mailing. Any application meeting the standards of this Article will be granted. Any application not meeting the standards of this Article will be denied.

C. Appealable. A rejection pursuant to this Section shall be Appealable pursuant to the procedures for Zoning Appeals outlined in the Zoning Ordinance. However, notwithstanding the foregoing, a final decision will be rendered within 90 days from date an Appeal is filed. If a final decision is not rendered within the 90 day period, the decision sought to be Appealed shall be affirmed.

D. Resubmission. A rejected application later resubmitted in conformity with this Article shall be deemed to have been submitted on the date of resubmission, instead of the original submission date. An application which is resubmitted shall meet all the standards for an original application.

ARTICLE 12
PERMIT REVOCATION

Should it be determined that a Sign Permit was issued pursuant to an application containing a false material statement or omission, the Director shall revoke said Permit and the subject Sign shall be immediately removed. A revocation pursuant to this Section shall be Appealable pursuant to the procedures for Zoning Appeals outlined in the City's Zoning Ordinance. However, notwithstanding the foregoing, a final decision will be rendered within 60 days from date an Appeal is filed. If a final decision is not rendered within the 60 day period, the decision sought to be Appealed shall be affirmed. The Permit for any Sign not meeting the standards of this Article will be revoked.

ARTICLE 13
ZONING ORDINANCE REQUIREMENTS

So long as an application conforms to the standards and procedures of this Article, the applicant is exempted from any additional standards, excepting any standards relating to color, and procedures relating to signs in the City's ordinances regulating Zoning.

ARTICLE 14
VARIANCE

A. Timing. The City Council shall hear and decide upon a Variance within 90 days of the submission of a complete and accurate application.
B. Procedure. Except as modified by this Article, the procedures for requesting a Variance from the standards of this Article shall be the same procedures as that for seeking a Variance from the City's ordinances regulating Zoning.
C. Standards. The standards which shall be considered for granting a Variance from the standards of this Article shall be only the following:
    1. The topography of the Lot on which the Sign is located or to be located renders it impossible to comport with the strict standards of this Article.
    2. The natural features of the Lot on which the Sign is located or to be located, or of the land immediately adjacent to the Lot, impairs the visibility of the Sign such that it cannot be seen.

ARTICLE 15
SUSPENSION, REVOCATION

A. Violation. Violation of any provision of this Article shall be grounds for terminating the Permit granted by the City to the Permittee or the Person or entity erecting the Sign. No Permit shall be suspended, revoked or canceled except for due cause, as hereinafter defined, and until after the Permittee is granted a public hearing before the City Council.
B. Hearing. The Permittee shall be given 10 Business days written notice of the time, place, and purpose of the hearing, with a statement of the reason for the suspension, revocation, or canceling of such Permit and/or license. "Due cause" is the violation of the standards of this Article. The termination of the Permit does not in any way preclude the Person or Persons alleged to have violated the standards of this Article from being tried or preclude the City from taking any other action authorized by this Code and/or any action authorized by law.

ARTICLE 16
EXPIRATION DATE

A Sign Permit shall become null and void if the Sign for which the Permit was issued has not been installed and completed within six (6) months after the date of issuance; provided, however, that where an applicant can demonstrate that a commercial entity was timely engaged to construct the permitted Sign, but the fabrication has not yet been completed, one (1) 90 day extension may be granted by the Director. No refunds shall be made for a Permit after the Permit is issued. If later an individual desires to erect a Sign at the same location, a new application for the Sign must be processed and another fee paid in accordance with the fee schedule applicable at such time.

ARTICLE 17

CITY OCCUPATION TAX CERTIFICATE, PUBLIC LIABILITY INSURANCE REQUIRED

It shall be unlawful for any Person to engage in the Business of erecting or maintaining signs within the City, unless and until such entity shall have obtained a City occupation tax certificate and a certificate of insurance from an insurance company authorized to do Business in the state evidencing that the entity has in effect public liability and Property damage insurance in the sum of $25,000.00 for Property damage for any one (1) claim, and public liability insurance in an amount not less than $100,000.00 for injuries, including accidental death to one (1) Person. The certificate of insurance shall state that the insurance carrier shall notify the City 30 days in advance of any termination and/or restriction of the coverage, including non-renewal, cancellation, and nonpayment of any premium.

ARTICLE 18
SIGNS WHICH REQUIRE NO PERMIT

The following shall not count toward the total amount of signage allowed and no Permit is required so long as all standards in this Article are met, including those set forth below:

A. Numerals displayed for the purpose of identifying Property location not to exceed eight (8) inches in Height;
B. Flags;
C. Window Signs;
D. Door signs not to exceed one (1) square foot in size and not more than one (1) Sign per door; and
E. Standard Informational Signs in all Districts.

ARTICLE 19
PROHIBITED SIGNS AND DEVICES

The following types of signs are prohibited in the City:

A. Signs. Any Sign not specifically identified in this Article as a permitted Sign.
B. Balloons; Streamers. Balloons, streamers or air or gas filled figures.
C. String Lights. Signs consisting in whole or in part of a series, line, or row of lights, whether supported by cables or other physical means, within 150 feet of a Thoroughfare and visible therefrom. Notwithstanding the foregoing, holiday lights and decorations displayed not more than 30 days before a holiday shall be exempted from this Section.
D. Beacons; Search Lights; Laser. Promotional Beacons, search lights or laser lights or images.
E. Audible Signs. Audible Signs.
F. Signs in Right of Way. Signs in a public right of way, other than those belonging to a government, public service agency, or railroad.
G. Signs on Tree or Utility Pole. Signs mounted or located on a Tree, utility pole, or other similar Structure.

H. Roof Signs. Roof Signs and signs which extend vertically above any portion of a roof or parapet of the applicable wall.
I. Portable Signs. Portable Signs, including signs attached to any parked vehicle or trailer, so as to be visible from a public right-of way.
J. Obscene Signs. Signs which depict Obscene material.
K. Illegal Activity Signs. Signs which advertise an activity which is illegal under federal, state or local laws.
L. Signs Not Maintained. Signs not in good repair, in violation of codes, or containing or exhibiting broken panels, visible rust, visible rot, damaged Support Structures, or missing letters.
M. Abandoned Signs. Abandoned signs.
N. Animated; Flashing. Animated signs, Flashing Signs, and Changeable Copy Signs which change more than once per 24 hours within 150 feet of a Thoroughfare right of way.
O. Imitation Traffic Signs. Signs which contain or are an imitation of an official traffic Sign or signal or contain the words “stop,” “go,” “slow,” “caution,” “warning,” or similar words in such a manner as to resemble official traffic control signs.
P. Billboard. A Freestanding Sign with an area of more than 72 square feet.

ARTICLE 20
VIOLATIONS, PENALTIES

A. Noncompliance. No Person shall erect or cause to be erected any Sign which does not comply with the standards of this Article.
B. Dangerous or Defective. No Person shall maintain or permit to be maintained on any premises owned or controlled by that Person any Sign which is in a dangerous or defective condition. Any such Sign shall be removed or repaired by the Permittee of the Sign, the owner of the premises, or as otherwise provided for in this Article.
C. Separate Violation. Each Sign installed, created, erected or maintained in violation of this Article shall be considered a separate violation when applying the penalty portions herein.
D. Public Nuisance. Any violation of this Article is hereby declared to be a public nuisance.
E. Notice. The Director shall give the Permittee 10 to 30 days written notice, based on the practical considerations of completing measures to comport with the standards of this Article, to correct the deficiencies or to remove the Sign(s) which is in violation of this Article. If the Permittee refuses to correct the deficiencies or remove the Sign, the Director will have the Sign removed at the expense of the Permittee.
F. Citations. If any Sign or other device covered by this Article is, or is proposed to be, erected, constructed, altered, converted or used in violation of any provision of this Article, the Director shall issue a citation. Additionally, the City may seek an injunction for a continuing violation or take other appropriate action to prevent such unlawful erection, construction, alteration, conversion or Use to correct or abate such violation. Any violation of this Article shall be an offense, and the violator shall be subject to a fine of up to $1,000.00, imprisonment for up to 60 days, or by both such fine and imprisonment.

ARTICLE 21

NONCONFORMING SIGNS

A. Maintained. A Nonconforming Sign shall not be replaced by another Nonconforming Sign, except that the substitution or interchange of poster panels, painted boards, or dismountable material on Nonconforming signs shall be permitted. All Nonconforming signs shall be maintained in good repair.
B. Repairs; Material Change. Minor repairs and Maintenance of Nonconforming signs shall be permitted; provided, however, no structural repairs or changes in the size or shape of a Nonconforming Sign shall be permitted except to make the Sign comply with the standards of this Article. To the extent that any Sign allowable hereunder is damaged or destroyed by act of God or by other circumstances beyond control of owner of Sign then such Sign may be repaired without regard to the restrictions of this paragraph.
C. Grandfathering. Nonconforming signs may stay in place until one of the following conditions occurs:
   1. The advertised Business ceases at that location;
   2. The deterioration of the Sign or damage to the Sign makes it a hazard or renders it dilapidated, unsightly, or unkempt; or
   3. The Sign has been damaged to such extent that more than minor repairs or a material change is required to restore the Sign. No structural repairs or change in shape or size shall be permitted except to make the Sign comply with all standards of this Article. To the extent that any Sign allowable hereunder is damaged or destroyed by act of God or by other circumstances beyond control of owner of Sign then such Sign may be repaired without regard to the restrictions of this paragraph.

ARTICLE 22
REMOVAL OF UNLAWFUL OR DANGEROUS SIGNS

A. Removal. The City may order the removal of any Sign in violation of this Article by written notice to the Permit holder; or if there is no Permit holder, then to the owner of the Sign; or if the Sign owner cannot be found or cannot be determined, then to the Sign erector and any party that procured the erection of the Sign. If a Permit has been issued, such notice shall operate to revoke the Permit.
B. Procedure Following Removal Order. If the Sign is not removed within the time allowable pursuant to this Article the City shall remove or cause to be removed the Sign and collect the costs thereof as provided below.
C. Removal without Notice. The City shall have removed any Sign in violation of this Article, without giving notice to any party, if:
   1. Said Sign is upon the Public Right-of-Way or upon other public Property; or
   2. Said Sign poses an immediate safety threat to the life or health of any members of the public.
D. Removal after Court Determination. Other than signs located in a Public Right-of-Way, a Sign shall be removed by the City after a final determination by a court that the Sign is unlawful and should be removed. If the Permittee or owner fails to remove the Sign the Sign may be immediately removed and disposed of by the City.

ARTICLE 23
SIGN LOCATION

A. Obstructions to Doors, Windows, or Fire Escapes. No Sign shall be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape.
B. Signs Not to Constitute Traffic Hazard. No Sign or any part thereof, except authorized traffic signs, shall be located in any Public Right-of-Way. No Sign may be located any closer than 20 feet to an intersection as measured from the intersection of the two (2) Rights-of-Way.
C. Setback. Unless a more restrictive Setback is specified in conditions of Zoning or otherwise in this Article, all signs shall set back at least 10 feet from the Right-of-Way or 20 feet from the edge of pavement if a Private Thoroughfare and no Sign shall project over the Right-of-Way. Freestanding Signs shall be a minimum of 25 feet from an intersection and shall be a minimum of 35 feet from any other Freestanding Signs.

ARTICLE 24
MEASUREMENT OF SIGN AREA

A. Size Generally. The area of a Sign shall be computed as the area within the smallest continuous polygon comprised of not more than eight (8) straight lines enclosing the limits of a Sign Face, together with any Sign Face cabinet or frame or material, texture, or color forming an integral part of the Sign Face used to differentiate the Sign Face from the Structure upon which it is placed. If polygons established around Wall Signs located on the same Thoroughfare oriented wall are within 24 inches or less of one another, then the area of the Sign shall be measured within one continuous polygon.
B. Structure. The computation of the area of a Sign Face shall not include the Structure, supports, or uprights on which the Sign Face is placed or any portions of a Sign Structure that are not intended to contain any message or idea and are purely structural or decorative in nature, other than those parts contained within the polygon that delimits the Sign Face.
C. Changeable Copy Signs. For any signs on which the words, letters, figures, symbols, logos, fixtures, colors, or other design elements routinely change or are intended to be changed from time to time, the Sign Face area shall include the entire area within which any words, letters, figures, symbols, logos, fixtures, colors, or other design elements may be placed, together with any frame or material, texture or coloring forming an integral part of the Sign Face or used to differentiate the Sign Face from the Structure upon which it is placed. Such Changeable Copy Signs cannot flash, and if located within 150 feet of a Thoroughfare right of way, may not change more than once per 24 hours.
D. Multi-Faced Signs. For multi-faced signs, when the Sign Face surfaces are parallel and are back to back, or where the interior angle formed by the faces is 45 degrees or less, the area of the Sign shall be taken as the areas on the largest side. For all other multi-faced signs, the area of the Sign shall be the total area on all sides that can be viewed at one time from any angle.

ARTICLE 25
MEASUREMENT OF SIGN HEIGHT

The Height of a Sign shall be computed as the distance from the base of the Sign Structure at normal Grade to the top of the highest attached component of the Sign. Normal Grade shall be construed to be the lower of: (1) existing Grade prior to construction or (2) the newly established Grade after construction, exclusive of any filling, Berming, mounding, or excavating solely for the purpose of locating the Sign. In cases in which the normal Grade cannot reasonably be determined, Sign Height shall be computed on the assumption that the elevation of the normal Grade at the base of the Sign is equal to the elevation of the nearest point of the crown of a Public Thoroughfare or the Grade of the land at the principal entrance to the Principal Structure on the zone Lot, whichever is greater. Where the normal Grade is below the normal Grade of a Public Thoroughfare, the Sign base can be raised to the elevation of the normal Grade of the Thoroughfare before the Height limitations are applied (surveyor's certificate required).

ARTICLE 26
CONSTRUCTION STANDARDS

A. Building and Safety Codes. All signs permitted under this code shall be constructed and maintained in accordance with the applicable City Building and safety codes. The City may remove after due notice any Sign which shows neglect or becomes dilapidated.
B. Faces. The face of a Sign shall be flat, with protrusions of no more than two (2) inches to allow for the texture of the Sign and words, letters, figures, symbols, logos, fixtures, colors, or other design elements. No Sign or other advertising Structure shall be constructed so as to have nails, tacks, or wires protruding therefrom. Lettering for address signage shall not exceed four (4) inches in Height or as required by the applicable Building code.
C. Illumination. Signs, when Illumination is permitted and except as otherwise set forth, may only be illuminated externally. Free standing signs with external Illumination shall have light directed downward. Externally illuminated signs shall not exceed 55 foot- candles. All Sign lighting shall comply with the Chattahoochee Hills Dark Sky Ordinance.
D. Landscaping. Landscaping, weeds, and grass shall be kept cut in front of, behind, underneath, and around the base of Freestanding Signs.
E. Construction. Freestanding Sign Structure/base materials shall match the Principal Structures material. The architectural color standards of the District apply only to the Sign Structure not to the Sign Face.

ARTICLE 27
RESTRICTIONS BASED ON LOCATION

If not otherwise stated, any Sign not specifically allowed for a particular Use as provided under this Section shall be prohibited in that District, except as otherwise provided for under this Article. The following standards govern signs based on the sign's location.

Table 1: Sign Restrictions Based on Location

Sign Type/ Land Use Area	Agriculture /Institution in Rural Area	Residential in Rural Areas and Non-rural Areas	Commercial in Non-rural Areas (D)	Industrial, Communication, Wholesale, Transportation and Warehouse in Non-rural Areas (E & F)
Freestanding Signs	One (1) maximum 32 square foot sign for each Thoroughfare on which the Lot has Frontage. Signs shall not exceed 6 feet in height and shall not have changeable copy.	One (1) maximum 32 square foot sign or two (2) maximum 16 square foot single-faced signs, per platted Single Family Subdivision entrance shall be permitted for each Thoroughfare on which the Subdivision has an entrance. Signs shall not exceed 6 feet in height and shall not have changeable copy.	One (1) maximum 32 square foot sign for each thoroughfare on which the Lot has frontage. For lots with greater than 500 linear feet of frontage per thoroughfare, one (1) maximum 64 square foot sign or two (2) maximum 32 square foot signs are permitted for each thoroughfare. Signs shall not exceed six (6) feet in height and shall not have changeable copy.	
Window Sign	Not more than three (3) per lot/unit and not larger than four (4) square feet or cover more than 25% of the area of each window, whichever is less.			Shall not occupy in the aggregate more than 25% of the window area
Construction	One (1) additional sign shall be allowed during construction. The sign shall not exceed 12 square feet in area and five (5) feet in height. Sign must be removed with the issuance of a Certificate of Occupancy or installation of a Permanent sign, whichever occurs first.			
Flag	Each flagpole shall not to exceed 35 feet in height. Flag shall not be more than 36 square feet		Each Lot may display no more than three (3) flags and/or flagpoles, which are not to exceed 35 feet in height each. Flags shall not be more than 36 square feet each.	

Sign Type/ Land Use Area	Agriculture /Institution in Rural Area	Residential in Rural Areas and Non-rural Areas	Commercial in Non-rural Areas (D)	Industrial, Communication, Wholesale, Transportation and Warehouse in Non-rural Areas (E & F)
Banner	Allowed for a period not exceeding 14 days, with no more than three (3) such 14-day periods begin permitted per calendar year per Lot. Banners shall not be more than 18 square feet. No Banner shall be mounted so as to extend above the horizontal plane of the roof where the Building wall and the roof meet or shall not extend more than five (5) feet above Grade when on the ground.		Allowed for a period not exceeding 14 days, with no more than three (3) such 14-day periods begin permitted per calendar year per Lot. Banners shall not be more than 32 square feet. No Banner shall be mounted so as to extend above the horizontal plane of the roof where the Building wall and the roof meet or shall not extend more than five (5) feet above Grade when on the ground.	
Awning/ Canopy Signs	Not Permitted	Not Permitted	Signs shall be deducted from allocated Wall Sign area. The area shall not exceed 10% of the area of the awning or canopy.	
Standard Informational Signs	Each Lot may display two (2) without a permit. Yard sale signs permitted only for the duration of the yard Sale. During a political election, between the date of qualification and the third calendar day after the final determination on each ballot issue or candidate, each Lot may display an unlimited number of these signs.		Each Lot may display two (2) without a permit, except that lots with more than one business may display four (4). Yard sale signs permitted only for the duration of the yard Sale. During a political election, between the date of qualification and the third calendar day after the final determination on each ballot issue or candidate, each Lot may display an unlimited number of these signs.	

Sign Type/ Land Use Area	Agriculture /Institution in Rural Area	Residential in Rural Areas and Non-rural Areas	Commercial in Non-rural Areas (D)	Industrial, Communication, Wholesale, Transportation and Warehouse in Non-rural Areas (E & F)
Wall Sign	Not Permitted	Not Permitted	Shall not exceed the smaller of 5% of applicable wall area or 100 square feet, confined to the upper 30 feet of the Façade. Each place of business is allowed a maximum of 2 wall signs, 1 sign per wall.[1] Tenants over 50,000 square feet floor space shall not exceed the smaller of 5% of applicable wall area or 300 square feet.	
Internal Sign			Permitted adjacent to internal entrance drives serving the development. Shall not exceed 20 square feet in area and six (6) feet in height.	
Menu Sign	Not Permitted	Not Permitted	One (1) per drive-in facility, not legible by the traveling public, and shall not exceed six (6) feet in height.	
Out of Store Marketing Device	Not Permitted	Not Permitted	Shall not exceed eight (8) feet in height and not internally illuminated except for display screens.	
Entrance / Projecting / Blade Signs	Not Permitted	Not Permitted	One (1) blade sign per entrance. Signs shall not exceed three (3) square feet; must be uniform in size, material, color, shape, and placement; and maintains a minimum seven (7) feet clearance between the bottom of the sign and the walkway below.	

[1] No changeable copy unless approved as a Marquee Sign. Signs shall not cover architectural features or details, and shall not extend beyond the roof line or outer edges of the building. Electrical raceways/ conduit shall be painted to match the exterior walls to which they are attached.

Sign Type/ Land Use Area	Agriculture /Institution in Rural Area	Residential in Rural Areas and Non-rural Areas	Commercial in Non-rural Areas (D)	Industrial, Communication, Wholesale, Transportation and Warehouse in Non-rural Areas (E & F)
Directory/On Site Wayfinding	Not Permitted	Not Permitted	Sign face shall be oriented to the sidewalk/pedestrian uses and shall not exceed 12 square feet in area. Sign shall not exceed seven (7) feet in height, excluding structural or decorative elements. Name plates shall not exceed 1/6 of the sign face	

ARTICLE 28
SEVERABILITY

Should any Article, Section, clause, or provision of this Article be declared by a court of competent jurisdiction to be invalid, such action shall not affect the validity of the ordinance as a whole or any part hereof other than the part so declared to be invalid, it being the intent of the City Council the City that each Article, Section, clause, and provision hereof be severable.