

**AN ORDINANCE TO AMEND THE SIGN ORDINANCE OF THE CITY OF GRIFFIN, GEORGIA IN ITS ENTIRETY BY PROVIDING DEFINITIONS FOR SIGNS; PROVIDING REGULATIONS GOVERNING THE SIZE, NUMBER AND LOCATION OF SIGNS; PROVIDING FOR PERMITS FOR ERECTION OF SIGNS; PROVIDING FOR NON-CONFORMING SIGNS; PROVIDING FOR PENALTIES FOR VIOLATIONS; REPEALING CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES.**

**BE IT AND IT IS HEREBY ORDAINED**, by the Board of Commissioners of the City of Griffin, Georgia, and it is enacted as follows:

**Section 1.** A new sign ordinance for the City of Griffin is adopted which shall read in its entirety as follows:

**SIGN ORDINANCE**

**SECTION 1. FINDINGS AND PURPOSE.**

(a) The City of Griffin 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.

(b) 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 the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically appealing environment, and to provide for the orderly and reasonable display of advertising for the benefit of all the City's citizens.

(c) 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 street signs which enable the traveling public to know where they are located and to find where they are going. As such, 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 Commission 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 street excavations. Even where signs serve a propriety purpose, such as identifying markings on utility polls, 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.

(d) The City 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 ordinance are unrelated to the content of the speech provided and allow maximum expressive potential to sign owners.

**SECTION 2.**            **AUTHORITY.**

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

**SECTION 3.**            **DEFINITIONS.**

As used in this ordinance, the following terms shall have the meanings respectively ascribed to them.

*A-frame sign or easel sign:* A portable sign consisting of two sign faces placed back to back and hinged together at the top in such a manner that each sign face leans toward the other, connecting at the top and forming a self-supporting structure.

*Awning:* A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway, walkway, or window from the elements. Awnings are often made of fabric or flexible plastic supported by a rigid frame, and may be retracted into the face of the building.

*Awning Sign:* See “Building Sign.”

*Banner:* A sign other than a flag, made of paper, cloth, thin plastic, or similar lightweight material and usually containing a message or logo.

*Billboard:* A sign, with an area greater than 300 square feet, which is supported by one or more columns, uprights, or braces in or upon the ground and is not attached to a building and is not mobile or temporary.

*Building Sign:* A sign that in any manner is fastened to, projects from, or is placed or painted upon the exterior wall, window or door of a building. The term “building sign” includes but is not limited to the following:

- a. *Awning Sign.* A sign imposed or painted upon an awning.
- b. *Canopy Sign.* A display attached to the underside of a marquee or canopy and protruding over any public or private sidewalk or right-of-way.
- c. *Marquee Sign.* Any sign attached flat against the marquee or permanent sidewalk canopy of a building and not extending above the roof line.
- d. *Projecting Sign.* A sign affixed to a wall and extending more than 18 inches from the surface of such wall, usually perpendicular to the wall surface.
- e. *Wall Sign.* A sign that is fastened directly to or is placed or painted directly upon the exterior wall of a building and extends from the surface of the wall no more than four (4) inches.

- f. *Window Sign.* A sign that is placed on or behind a window pane and intended to be viewed from outside the building.

*Business premises:* A building, suite, office or other unit used for nonresidential purposes. In the case of businesses licensed by the City, the area occupied by a single business license holder shall be deemed as one (1) business premises. In the case of professionals paying individual taxes to the City, each professional corporation, partnership or other entity in which the professional participates shall be considered the occupant and all area occupied by that occupant shall be the business premises. For the purpose of this Ordinance, business premises shall include nonresidential space occupied by charitable organizations, political organizations, institutions or other noncommercial entities.

*Canopy:* A roof-like structure supported by columns or projecting from a building and open on at least three sides.

*Canopy sign:* See “Building Sign.”

*Changeable copy sign:* A sign that is capable of changing the position or format or word messages or other displays on the sign face or change the visible display of words, numbers, symbols and graphics by the use of a matrix of electric lamps, movable discs, movable panels, light apertures or other methods; provided these changes are actuated by either by a control mechanism or manually on the face of the sign.

*Directional sign:* A sign used to give direction or specific instruction to the public, such as, but not limited to, “enter,” “exit,” “no parking,” “drive through,” “rest room,” etc. Such signs shall contain only instructional information.

*Easel sign:* See “A-frame Sign.”

*Election cycle or election season:* That period of time commencing with the closing date for filing notices of candidacy and ending with the final determination of each ballot issue or successful candidate for office.

*Flag:* A sign consisting of any fabric containing distinctive colors, patterns, logos, or symbols, used as a symbol of a government or any other entity or organization.

*Freestanding Sign:* A sign, with an area of no more than 300 square feet and no less than four (4) square feet, which is supported by one or more columns, uprights, or braces in or upon the ground and is not attached to a building and is not mobile or temporary. The term “freestanding sign” includes but is not limited to the following:

- a. *Pole Sign.* A sign that is mounted on a freestanding pole or similar support such that the bottom of the sign face is at least six feet above the ground.
- b. *Ground Sign.* A freestanding sign, other than a pole sign, in which the bottom of the sign face is less than six feet above the ground but not directly in contact with the ground.

*Frontage or street frontage:* The width in linear feet of a lot where it abuts the right-of-way of any street from which access may be directly gained.

*Fronts or fronting on a street.* A business “fronts” on a street when the lot line on the property on which the business is located also forms the line marking the edge of a publicly dedicated right-of-way.

*Illuminated signs:*

- a. *Internally-illuminated sign.* Any sign that is illuminated by an artificial light source from within the sign structure over any or all of its sign face.
- b. *Externally-illuminated sign.* Any sign that is partially or completely illuminated at any time by an artificial light source that directly or indirectly illuminates the face of the sign from outside the sign structure.

*Marquee sign:* See “Building Sign.”

*Monument sign:* A freestanding sign in which the entire bottom of the sign face is in contact with the ground, providing a solid and continuous background for the sign face from the ground to the top of the sign.

*Parcel:* The unit identified on county tax maps as a single lot for purposes of ad valorem taxation; provided, that two (2) or more adjoining lots owned by one (1) person or entity shall be deemed to be one (1) parcel for the purpose of these provisions.

*Portable sign:*

- a. Any sign:
  - 1. That is capable of being moved or intended to be moved from one location to another; or
  - 2. That is considered a portable sign in the normal course of commerce, even though the sign may be temporarily or permanently affixed to the ground; or
  - 3. The design of which indicates it is capable of being moved or intended to be moved from one location to another; or

4. That is not permanently affixed to a building or the ground; or
  5. That is used in such a manner as to be portable.
- b. Signs meeting the standards of the following categories shall not be considered portable signs:
1. Freestanding signs;
  2. Building signs;
  3. Monument signs;
  4. Billboards.
- c. Removal of wheels, chassis or frame from a portable sign shall not result in a change of its classification.
- d. Vehicles regularly used in the course of business or that are driven to and from a place of business may contain information identifying the business on the vehicle and may be parked in lots serving the identified business, provided that such vehicle is regularly used for transportation. Vehicles parked in commercial lots or on property located in the City for indefinite periods of time and not regularly used in the course of business that contain identifying information about a business shall be considered portable signs.

*Projecting Sign:* See “Building signs.”

*Roof Sign:* A sign erected upon and above a roof structure and wholly supported by the roof structure or a structure placed upon the roof. Roof signs shall also constitute any signage placed upon sloped building fascia intended to appear as or actually be roof elements of the building.

*Shared Sign:* A sign that serves as common or collective use for a group of persons or businesses operating on the same parcel, such as, but not limited to, a shopping center or business park. Ownership of and responsibility for a shared sign shall remain with the owner of the building or buildings served by the sign.

*Sign:* Any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, colors, movement or illumination.

*Sign area (for freestanding signs).*

- a. The area of a sign structure shall be computed as the area within the smallest rectangle enclosing the limits of the surface of a sign whereon the sign face or sign face modules may be placed, including all portions of a sign structure that provide a background for the sign face and forming an integral part of the sign face. Portions of the sign structure that are not intended to contain any message or idea and are purely structural or decorative in nature are not included in the computation of sign area.
- b. Any open space contained within the limits of the rectangle delimiting the sign face or sign face modules shall be included in the computation of the area of such sign face or sign face module.
- c. For multi-faced signs, when the sign face surfaces are parallel (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 area 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.

*Sign area (for building signs).*

- a. The area of a sign shall be computed as the area within the smallest rectangle enclosing the limits of a sign face, or the combination of the areas of all such rectangles delimiting each sign face module, together with any frame or material, texture, or color forming an integral part of the sign face or used to differentiate the sign face from the structure upon which it is placed.
- b. 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 rectangle that delimits the sign face or a sign face module.
- c. For any sign 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 color forming an integral part of the sign face or used to differentiate the sign face from the structure upon which it is placed.

*Sign area (for monument signs).* The computation of the sign area of a monument sign shall include the entire monument surface, as measured from top to bottom and side to side, upon which any words, letters, figures, symbols, logos, fixtures, colors or other design elements occur.

*Sign Face:* That portion of the surface of a sign structure where words, letters, figures, symbols, logos, fixtures, colors, or other design elements are or may be located in order to convey the message, idea, or intent for which the sign has been erected or placed. The sign face may be composed of two or more modules on the same surface that are separated or surrounded by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature.

*Sign Height:* The vertical distance to the highest point of a sign structure. The height is measured from the surface of the nearest adjacent street at a point on the roadway centerline nearest the sign.

*Special event sign:* A temporary sign utilized in conjunction with and for the same time period as a valid special event permit by the City.

*Spectacular sign or device:* Spectacular sign or device includes, but is not limited to, (i) any piece or strip of cloth, paper, canvas, plastic or similar material, including banners, but excluding flags, on which a message, slogan or emblem is painted, drawn or otherwise projected, colored or shaped for the purpose of advertising or drawing public attention; (ii) any advertising display, sign or copy that is animated; (iii) balloons, air and gas filled devices; (iv) streamers; or (v) other attention-getting devices.

*Standard Informational Sign:* A sign with an area not greater than 480 square inches, with a placard made for short-term use, containing no reflective elements, flags or

projections, and which, when erected, stands at a height not greater than 30 inches, and is mounted on a stake or metal frame with a thickness or diameter not greater than one and one-half inches.

*Wall Sign:* See “Building Sign.”

*Window Sign:* See “Building Sign.”

**SECTION 4.**            **APPLICABILITY.**

(a)    The requirements of this ordinance shall apply to all properties in the City of Griffin, regardless of zoning district.

(b)    The requirements of this ordinance shall apply to all signs that are visible from a street, public right-of-way, or property in public ownership.

**SECTION 5.**            **PROHIBITED SIGNS.**

(a)    The following types of signs are prohibited:

- (1)    Signs imitating warning signals; signs displaying lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance or rescue vehicles; signs using words, slogans, dimensional shape or size, or colors of governmental traffic signs in such a manner as to be confused with official traffic signs.
- (2)    Signs with lights flashing in series, lines, or rows.
- (3)    Flashing, blinking, fluctuating, or otherwise animated signs.
- (4)    Signs attached to trees or utility poles or boxes; signs painted on or otherwise attached to rocks or other natural objects; signs, other than those placed by a local, state or federal government or utility company

located within the public street right-of-way or within five (5) feet of the curb or closest edge of the pavement of any public street.

- (5) Signs emitting or utilizing in any manner any sound capable of being detected on a public road by a person of normal hearing.
- (6) Signs which obstruct any fire escape, any means of egress or ventilation, or prevent free passage from one part of a roof to any other part thereof; signs attached in any manner to any fire escape.
- (7) Banners, fringe, twirling, A-frame, sandwich-type, sidewalk or curb-type signs, balloons, streamers, portable display signs, air or gas filled figures and other similar temporary signs, except as permitted by Sections 13 and 15.
- (8) Roof signs.
- (9) Signs displaying any statement, word, character or illustration of an obscene nature.
- (10) Illuminated signs from or to which direct rays of light are projected onto a lot other than on the lot where the illumination occurs.

(b) No sign otherwise prohibited by this ordinance shall be installed within a building in such a manner that is visible from the public right-of-way.

**SECTION 6. PERMITS; PROCEDURES.**

(a) Unless specifically exempted from obtaining a permit under provisions of this ordinance, no person shall erect, construct, replace, relocate or structurally alter any sign within the City without first obtaining a sign permit from the Building Official. No permit

shall be required to repaint or change the lettering of an existing conforming sign, provided that no change of ownership of the entity displaying the message thereon has been made.

(b) Applications for permits shall be made upon forms provided by the City and shall contain or have attached thereto the following information:

- (1) Name, address and telephone number of the applicant.
- (2) Address of building, structure, or lot to which or upon which the sign is to be attached or erected.
- (3) One accurate drawing showing the position of the sign in relation to nearby buildings or structures, including other signs, driveways, parking areas, and any other limiting site features (survey not required).
- (4) One accurate drawing of the plans, specifications and method of construction and attachment of the sign to the building or ground. Such drawings shall include the size of the sign area, overall height of the sign, location of the sign installation and its relation to existing rights-of-way and all driveways, and, if a freestanding or monument sign, any protective devices or landscaping around the base of the sign.
- (5) Name, address and telephone numbers of person erecting the sign.
- (6) Written consent of the owner, manager, leasing agent or lessee of the building or land to which or upon which the sign is to be erected.
- (7) The location and size of all other signs on the parcel upon which the sign is to be erected.

- (8) The size of the parcel on which the sign is to be erected and the length of the street frontage for the street to which the sign is oriented.
- (9) If the sign is to be lighted, an application for electrical permit meeting all standards of the City's electrical code.
- (10) Such other information as the City shall require to show full compliance with this and other ordinances of the City.

(c) For signs shared by more than one person or entity, the property owner or sign contractor shall secure a permit for the sign structure and the property owner shall be responsible for the maintenance of the structure as well as for removal of individual sign panels identifying uses which no longer exist within the building or buildings covered by the shared sign. In addition to the permit required for a shared sign structure, a separate permit shall be required for each panel, which shall be obtained by the owner, his tenant, an authorized agent, or the sign contractor.

(d) Fees for permits shall be as fixed from time to time by Resolution of the Board of Commissioners.

(e) Upon the filing of an application for a permit and the payment of all necessary fees, the Building Official shall examine all plans and specifications submitted, including electrical wiring and connections, and the premises upon which the sign is proposed to be erected. Such review shall be completed within thirty (30) days of submission of a completed sign application. If it appears from review of the permit application and the site that the proposed sign is in compliance with the requirements of this ordinance and all other ordinances and laws of the City, the Building Official shall issue a permit no later than thirty (30) days from receipt of the completed application.

(f) The City shall deny permits to applicants who submit applications for signs that do not comply with the provisions of this ordinance, are incomplete, or contain any material false statements. Violation of any provision of this ordinance 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 ordinance, the Building Official shall revoke the permit. Should the Building Official deny a permit, the reasons for denial shall be stated in writing and mailed by certified mail, return receipt requested, to the address on the permit application on or before thirty (30) business days after the City received the application. Alternatively, the City may personally serve the sign applicant with a copy of the written notice of denial within thirty (30) business days 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.

(g) No permit shall be denied or revoked, except for due cause as hereinafter defined, and after the applicant is given ten (10) days written notice containing a statement of the reasons for the denial of the permit application or the revocation of a permit. "Due cause" is the violation of any provision of this ordinance, or other applicable ordinances, state or federal law, or the submission of an incomplete application or an application containing false material statements.

(h) An individual whose permit application has been denied or a permittee whose permit has been revoked may appeal the decision to the Board of Commissioners, provided such appellant files a written notice of appeal with the City Manager within ten (10)

business days of the Building Official's notice. Such appeal shall be considered by the Commission at the next commission meeting held after the City's receipt of the written notice of appeal, provided that such notice of appeal is received a minimum of five (5) business days before the next meeting. Appeal notices received within five (5) days of a scheduled Commission meeting shall be heard at the next available meeting more than five (5) days following receipt of appeal. The Board of Commissioners shall issue a written decision to the applicant no later than thirty (30) days following the close of the appeal hearing. Decisions of the Board of Commissioners to affirm the decision of the Building Official or to overrule the decision of the Building Official and grant or continue the permit for which appeal is taken shall be reduced to writing and served upon the applicant in the same manner as the original notice to deny or notice of revocation. Such decision shall constitute a final determination by the City of Griffin.

(i) In the event an applicant whose permit has been denied or a permit holder whose permit has been revoked is dissatisfied with the decision of the Board of Commissioners, such applicant or permit holder may petition for Writ of Certiorari to the Superior Court as provided by law.

(j) Any person commencing work on a sign before securing the necessary permit from the Building Official shall be subject to double permit fees under the permit fee schedule.

**SECTION 7. PERMIT 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 three (3) months after the date of issuance. No refunds will be made of permit fees for permits that expire due to failure to erect a permitted

sign; provided 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 ninety (90) day extension may be granted by the Building Official on the duration of the permit. Where a permit has expired for failure to erect the sign, if an individual later 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 in effect at the time of resubmission.

**SECTION 8. DISPLAY OF PERMIT.**

The owner of the sign shall be responsible for maintaining the permit for every sign constructed, erected or maintained for which a permit is required by this ordinance. Such permit shall be kept on the premises served by the sign and shall be exhibited promptly upon request of city officers and employees.

**SECTION 9. COMPLIANCE WITH TECHNICAL CODES; ZONING.**

(a) All signs hereafter erected, replaced, reconstructed, altered, relocated or modified within the City shall conform with the requirements of the Standard Building Code and the requirements of the National Electrical Code, as adopted by the City. Where the provisions of the building or electrical code and this ordinance conflict or overlap, the most stringent requirement shall prevail and be controlling.

(b) All signs hereafter erected, replaced, reconstructed, repaired, altered or relocated within the City shall conform to the zoning ordinance of the City. In the event of conflict between the provisions of this ordinance and the zoning ordinance, the most stringent requirement shall prevail and be controlling.

**SECTION 10. REGULATION OF SIGNS BY LAND USE; DEVELOPED RESIDENTIAL PROPERTY.**

(a) Any developed property which is zoned multi-family residential shall comply with the requirements of Section 11.

(b) Any developed residential property which is zoned other than multi family residential may post only such signs as are authorized by this section and shall comply with the following requirements:

(1) *Freestanding signs, wall signs.* Such property may contain not more than one freestanding sign or wall sign, with permit, the sign area of which may be not greater than sixteen (16) square feet. Any freestanding sign shall be six (6) feet in height or shorter and shall be setback so that it is located entirely on private property and no closer than ten (10) feet from the back of the curb or from the edge of the pavement on streets with no curbing. Signs shall not project over property lines. Provided, however, that an unlimited number of freestanding signs not exceeding the size and height limits provided above are allowed during a political election, between the date of close of filing for qualification of candidates and final determination on each ballot issue or candidate. No fee and no permit are required for such additional freestanding signs allowed during election cycles.

(2) *Standard informational signs.* In addition to any other signs authorized by this section, such property may contain standard informational signs, without a permit or fee, located so that they are located entirely on private property and no closer than ten (10) feet to the back of the

curb or from the edge of the pavement on streets with no curbing, as follows:

- a. Except as provided in subparagraphs b. below, not more than one standard informational sign;
- b. An unlimited number of standard informational signs are allowed during a political election, between the date of qualification of candidates and final determination on all ballot issues or candidates;
- c. Where no standard informational sign may be posted in the yard due to lack of a front yard deep enough to meet this standard, such standard informational sign may be posted in a window of the premises.

- (3) *Permanent subdivision signs.* In addition to any other signs authorized by this section, if such property is located at the entrance to any residential subdivision, then such property may contain no more than one permanent subdivision sign per entrance.

**SECTION 11. REGULATION OF SIGNS BY LAND USE; OTHER DEVELOPED PROPERTY.**

For properties not located within the Downtown Commercial Historic District or on an Emerging Commercial Corridor, which are zoned multi-family residential and any developed property which is zoned for any commercial, office or industrial use, such properties may post only such signs as are authorized by this section. All signs not expressly authorized by this Section are prohibited on such properties. Authorized signs shall comply with the following requirements:

- (1) *Freestanding signs.* Such property may contain one or more freestanding signs in accordance with the following.
- a. Except for regulatory signs approved and erected by appropriate federal, state or local authorities, or public utilities, no signs shall be constructed, erected or maintained closer than ten (10) feet from the curb or pavement edge on streets with no curb and shall be installed completely on private property. No free standing or projecting sign shall be erected within ten (10) feet of the nearest point of the public right-of-way at the intersection of two or more streets.
  - b. Where signs are erected at the same elevation as electrical power lines, the minimal horizontal distance from such power lines to the sign shall be ten (10) feet.
  - c. Only one freestanding sign per platted lot shall be allowed along the right-of-way, provided that for business premises fronting on more than one street, one freestanding sign shall be allowed along no more than two (2) right-of-way frontages.
  - d. All freestanding signs shall be surrounded by protective concrete curbing if in a paved area or shall be placed in a landscaped area. No freestanding sign shall be permitted to encroach in a parking area to such extent that the remaining parking spaces fail to meet the minimum standards of the zoning ordinance for off-street parking.

- e. Freestanding signs shall be erected to a height of no more than twenty-four (24) feet, provided that planned centers (including both shopping centers and business parks) covering ten (10) acres or more may erect one freestanding sign to a height of thirty (30) feet. All sign heights shall be measured from the grade level of the nearest adjacent street from which the sign is visible. The level of the ground shall not be altered in any way so as to provide additional sign height. All freestanding signs shall have an unobstructed visual clearance exclusive of supports of not less than eight (8) feet.
- f. The maximum sign area of any sign, inclusive of any border and trim, but excluding the base, apron, supports and other structural members shall be:
  - 1. Freestanding signs, including shared signs, on parcels of ten (10) acres or more in size, three hundred (300) square feet in sign area.
  - 2. Shared freestanding signs on parcels of three (3) acres or more but less than ten (10) acres, two hundred-twenty (220) square feet in sign area.
  - 3. Shared freestanding signs on parcels less than three (3) acres, one hundred-sixty (160) square feet in sign area.
  - 4. Freestanding signs for single business premises on parcels of three (3) acres or more but less than ten (10)

acres in size, one hundred-forty (140) square feet in sign area.

5. Freestanding signs for single business premises on parcels of less than three (3) acres in size, eighty (80) square feet in sign area, which may be increased to one hundred-twenty (120) square feet on divided highways.
- g. Exceptions - Exceptions to the size restrictions for shared signs may be made by the City Manager upon petition by the property owner where it is determined that the number of tenants to be served by the sign are such that individual sign panels would measure less than four and one-half (4 1/2) square feet each. Exception to the size limits shall be limited to the maximum relief necessary to allow such individual sign panels at a size of four and one-half (4 1/2) square feet.
  - h. Drive thru menu boards. In addition to any other freestanding signs authorized by this Section, if such property contains a business premises where materials are delivered at a drive thru delivery point other than on the front side of the building, then one additional freestanding sign per delivery point shall be allowed to be located on the property in the side or rear yard; no such sign shall exceed thirty (32) square feet in sign area nor eight (8) feet in height.

- (2) *Building signs*, fifteen (15%) percent of the square footage of the business premises façade (including signage on glass windows and doors); provided that any business premises may erect a building sign of at least six (6) square feet. Business premises may use a combination of wall signs, canopy signs, marquee signs, projecting signs, window signs and awning signs as building signs. No individual building sign or combination of building signs shall exceed two hundred-twenty (220) square feet per business premises. Projecting signs attached to a building may extend over pedestrian portions of a public right-of-way not more than eighteen (18) inches from the surface of the building; provided that such signs shall not extend over paved portions of the roadway.
- (3) *Changeable copy signs* are permitted as an integral part of freestanding and wall signs in commercial, office and industrial zoning districts, subject to the following:
- a. The changeable copy portion of the sign shall not exceed thirty percent (30%) of the overall sign area of the sign to which it is attached.
  - b. The total display area of the combined sign (freestanding or wall sign plus changeable copy board) shall not exceed the overall size limitations imposed by Section 12(1) and (2) by more than one hundred-thirty (130%) percent.

- c. Changeable copy signs erected in combination with freestanding or wall signs must be on the same pole, post or standard or within the same frame as the principal sign.
  - d. LED displays on changeable copy signs shall not flash nor simulate movement. Color and copy changes shall not occur more often than one (1) time per minute.
- (4) *Monument signs* may be erected in lieu of freestanding signs at the option of the sign owner. Such monument signs shall conform to all setback requirement for freestanding signs. Monument signs shall not exceed ten (10) feet in height or forty (40) square feet in sign area.
- (5) *Standard informational signs.* In addition to any other sign authorized by this Section, such property may contain standard informational signs, without a permit or fee, located so that the sign is located completely on private property and the support is no closer than ten (10) feet to the back of the curb or from the edge of the pavement on streets with no curbing, and no part of the placard is closer than ten (10) feet to the back of the curb or from the edge of the pavement on streets with no curbing, as follows:
- a. Except as provided in Subparagraphs b. below, not more than one standard information sign.
  - b. An unlimited number of standard informational signs are allowed during a political election, between the date of

qualification of candidates and final determination on each ballot issue or candidate.

- (6) *Permanent subdivision signs.* In addition to any other signs authorized by this Section, if any parcel is located at the entrance to any subdivision, then that parcel may contain not more than one permanent subdivision sign.
- (7) *Directional signs.* In addition to any other signs authorized by this Section, any such property may contain not more than two directional signs per driveway entrance. Such signs are limited to no more than twenty-four (24) inches in height and no more than two (2) square feet in sign area.
- (8) *Temporary signs.* In addition to any other signs authorized by this Section, any such property may contain temporary signs in accordance with Section 15.
- (9) *Billboards.* In lieu of other freestanding signs authorized by Subsection (1), any such property may contain one billboard which complies with the following:
  - a. Billboards are allowed on parcels fronting state or federal highways in commercial and industrial districts only. Such billboards are limited to four hundred-eighty (480) square feet in sign area with dimensions not exceeding twelve (12) feet in height or forty-two (42) feet in width.

- b. Billboards are allowed on parcels adjacent to streets other than state or federal highways in commercial and industrial districts only. Such billboards are limited to three hundred ten (310) square feet in sign area per face, with dimensions not exceeding twelve (12) feet in height and twenty-five (25) feet in width.
- c. Billboards shall be erected to a height of no more than fifty (50) feet where located adjacent to state and federal highways and no more than thirty (30) feet when located adjacent to other streets.
- d. All portions of a sign face and support members of any billboard shall be setback from all buildings, structures and property lines at least seventy-five (75) feet.
- e. Illumination. All illuminated billboards shall use base mounted fluorescent or mercury vapor lights and shall be activated by photoelectric cells. Additional lighting, including but not limited to, neon, animation and running lights, is prohibited.
- f. Extrusions prohibited. Extrusions beyond the face of any billboard, excluding aprons, are prohibited.
- g. Location and number of signs. Only one billboard shall be allowed per platted lot. No billboard shall be placed on any lot which contains any freestanding sign. Billboards shall be no less than one thousand (1,000) feet apart, measuring from the two closest points and only one (1) sign face shall be allowed to

face the same direction per location. This allows back to back or “V” formation signs but prohibits two signs side by side or over and under, facing the same direction.

**SECTION 12. REGULATION OF SIGNS BY LAND USE; VACANT AND UNDEVELOPED PROPERTY.**

Any property (i) located outside the Downtown Commercial Historic District, which is not occupied on a regular basis and (ii) any property wherever located which is not developed property, may contain only those signs authorized by this Section, except during an election period as provided herein. Vacant and undeveloped property shall comply with the following requirements:

- (1) *Freestanding signs.* Such property may contain one or more freestanding signs in accordance with the following:
  - a. Number of signs, sign area. One freestanding sign limited to seventy-five (75) square feet of sign area is allowed with a permit. Provided, however, that an unlimited number of freestanding signs with faces of sixteen (16) square feet or less and twelve (12) feet in height or shorter are allowed during a political election between the date of qualification of candidates and final determination on each ballot issue or candidate, and permits shall not be required for these additional signs during election seasons.
  - b. Encroachment, required setbacks. Freestanding signs may be erected only on private property and shall be located no closer than ten (10) feet from the back of the curb or from the edge of

the pavement on streets with no curbing. Signs shall not project over property lines.

- c. Height restrictions. The height of any freestanding sign at its highest point above the grade of the adjacent street shall not exceed fifteen (15) feet.

(2) *Standard informational signs.* In addition to any other sign authorized by this Section, such property may contain standard informational signs, without a permit or fee, located so that the signs are erected entirely on private property and are not closer than ten (10) feet to the back of the curb or from the edge of the pavement on streets with no curbing, as follows:

- a. Except as provided in Subparagraphs b. below, no more than one standard information sign.
- b. An unlimited number of standard informational signs are allowed during a political election, between the date of qualification of candidates and final determination on each ballot issue or candidate.

(3) *Permanent subdivision signs.* In addition to any other sign authorized by this Section, if such property is located at the entrance to any subdivision, then such property may contain no more than one permanent subdivision sign.

- (4) *Billboards.* In lieu of other freestanding signs authorized by Subsection (1), any such property located in a commercial or industrial district may contain one billboard which complies with the following:
- a. Billboards are allowed on parcels fronting state or federal highways in commercial and industrial districts only. Such billboards are limited to four hundred-eighty (480) square feet in sign area with dimensions not exceeding twelve (12) feet in height or forty-two (42) feet in width.
  - b. Billboards are allowed on parcels adjacent to streets other than state or federal highways in commercial and industrial districts only. Such billboards are limited to three hundred ten (310) square feet in sign area per face, with dimensions not exceeding twelve (12) feet in height and twenty-five (25) feet in width.
  - c. Billboards shall be erected to a height of no more than fifty (50) feet where located adjacent to state and federal highways and no more than thirty (30) feet when located adjacent to other streets.
  - d. All portions of a sign face and support members of any billboard shall be setback from all buildings, structures and property lines at least seventy-five (75) feet.
  - e. *Illumination.* All illuminated billboards shall use base mounted fluorescent or mercury vapor lights and shall be activated by

photoelectric cells. Additional lighting, including but not limited to, neon, animation and running lights, is prohibited.

- f. Extrusions prohibited. Extrusions beyond the face of any billboard, excluding aprons, are prohibited.
- g. Location and number of signs. Only one billboard shall be allowed per platted lot. No billboard shall be placed on any lot which contains any freestanding sign. Billboards shall be no less than one thousand (1,000) feet apart, measuring from the two closest points and only one (1) sign face shall be allowed to face the same direction per location. This allows back to back or “V” formation signs but prohibits two signs side by side or over and under, facing the same direction.

**SECTION 13. REGULATION OF SIGNS BY LAND USE; DOWNTOWN COMMERCIAL HISTORIC DISTRICT.**

(a) The Griffin Downtown Commercial Historic District is identified as that area designated on the National Register of Historic Places and bounded on the north by Broad Street, on the east by Sixth Street, on the south by Poplar Street, and on the west by Eighth Street.

(b) Signs authorized. Any property located in the Downtown Commercial Historic District may post only such signs as are authorized by this Section and shall comply with the following requirements:

- (1) *Freestanding signs.* Such property may contain one or more freestanding signs in accordance with the following.

- a. Number of signs. Sign area. One freestanding sign limited to seventy-five (75) square feet of sign area or one square foot per linear foot of lot frontage, whichever is less, shall be allowed, with permit, for each street frontage only to the extent that such property includes sufficient land that the freestanding sign can be erected free and clear of the public right-of-way and no closer than ten (10) feet to said right-of-way. Any planned commercial center may have one freestanding sign limited to one hundred (100) square feet of sign area for each street frontage. No separate freestanding sign other than that permitted in this subsection will be allowed for an individual business in a planned commercial center. No freestanding sign shall be closer than two hundred-fifty (250) feet to any other freestanding sign on any property, as measured from the closest point of each side. Provided however, that an unlimited number of freestanding signs with signs faces of sixteen (16) square feet or less and twelve (12) feet in height or shorter are allowed during a political election between the date of qualification of candidates and final determination on each ballot issue or candidate, and during such period there shall be no requirements or spacing between such additional signs nor permits required for the same.

- b. Encroachment, required setbacks. Freestanding signs may encroach into front and side yards provided that they are located entirely on private property and are located no closer than ten (10) feet from the back of the curb or from the edge of the pavement of a street with no curbing. Signs shall not project over property lines.
- c. Height restrictions. The height of all freestanding signs at their highest point shall not exceed twenty-two (22) feet above the grade of the adjacent street.

(2) *Building signs.* In addition to any other signs authorized by this Section, such property may contain no more than two (2) building signs per building façade for each occupancy, provided that the total area for all building signs on any building façade shall not exceed twenty-five (25%) percent of the total area of the wall on that frontage. Building signs include the allowance of wall signs, awning signs, marquee signs, projecting signs, window signs and canopy signs. Such property may contain not more than one wall sign that includes a reader board of not more than six (6) square feet in area. No wall sign may project more than four (4) inches from the wall adjacent to a public sidewalk. No protruding wall sign shall be placed closer than twelve (12) inches to any other protruding wall sign.

- (3) *Standard informational signs.* In addition to any other sign authorized by this Section, such property may contain standard informational signs, without a permit or fee, located so that the sign is located entirely on private property and no sign is closer than ten (10) feet to the back of the curb or from the edge of the pavement on streets with no curbing, as follows:
- a. Except as provided in Subparagraphs b. below, not more than one standard informational sign.
  - b. An unlimited number of standard informational signs are allowed during a political election, between the date of qualification of candidates and final determination on each ballot issue or candidate.
- (4) *Directional signs.* In addition to any other signs authorized by this Section, any such property may contain not more than two directional signs per driveway entrance, such signs to be erected to a height no more than twenty-four (24) inches and to a size of no more than one and one half (1 1/2) square feet.
- (5) *Temporary signs.* In addition to any other signs authorized by this Section, any such property may contain temporary signs as permitted in Section 15.
- (6) *Projecting or canopy signs.* In lieu of other building signs authorized by this ordinance, any such property may contain no more than one

projecting or canopy sign. No projecting or canopy sign shall be greater than sixteen (16) square feet in sign area. No projecting sign shall protrude more than eighteen (18) inches from the wall to which it is attached, and none shall project past any property line (other than the public sidewalk) nor onto any driveway. No projecting or canopy sign shall hang lower than eighty (80) inches from the ground at its lowest point. No projecting or canopy sign shall be installed without adequate mounting and assembly approved by the Building Official. All projecting or canopy signs shall be required to meet the standards of ANSI and ADA.

(7) *A-frame or easel signs.* Any such property that is not served by a freestanding sign may utilize not more than one A-frame or easel sign per street frontage, each face of which shall have an area of not more than ten (10) square feet. No A-frame or easel sign shall be placed on any public sidewalk so as to leave less than five (5) feet of clearance for pedestrians. No A-frame or easel sign shall remain on any public sidewalk adjacent to any premises at any time when the premises are closed to the public. All A-frame and easel signs shall be adequately weighted or anchored to prevent accidental movement of the sign and obstruction of any public street.

(8) *Prohibited signs.* The following signs are prohibited within the Downtown Commercial Historic District, unless specifically permitted as a temporary sign.

- a. Billboards, drive-thru menu boards, and permanent subdivision signs.
- b. Banners, pennants and streamers along or across road rights-of-way, except banners erected by governmental authority.
- c. Folding signs, portable display signs or similar moveable signs other than A-frame or easel signs permitted in Subsection (7) above.
- d. Signs erected on or located on any street or public right-of-way, curbs, curbstone, hydrant, lamppost, trees, barricade, temporary walk, or public utility poles, except signs erected by or at the direction of governmental authority.
- e. Signs with revolving or rotating beams of light.
- f. Rotating signs.
- g. Signs placed upon a structure in any manner so as to disfigure or conceal any window opening, door or significant architectural feature or detail of any building.

(9) *Historic character signs.*

- a. The following signs have historically been associated with the downtown area and are in keeping with its character as an historic district:
  - 1. barber poles;
  - 2. time and temperature displays.

- b. Such historic signs are authorized as legal nonconforming uses and are governed by Section 18.

**SECTION 14. REGULATION OF SIGNS BY LAND USE: EMERGING COMMERCIAL CORRIDORS.**

(a) The City of Griffin contains a number of Emerging Commercial Corridors. Structures along these streets were once occupied as residential properties but are in the process of conversion to office or professional use. Due to the proximity of these nonresidential structures to existing residential areas and the residential character of their original construction, as well as the potential for significant blight (as identified by O.C.G.A. § 22-1-1) to develop if signage is not strictly controlled, unique regulation of signage is appropriate for protection of remaining residential properties.

(b) The Emerging Commercial Corridors are defined as follows:

- (1) Solomon Street, from 18th Street in the west to 1st Street in the east;
- (2) Poplar Street, from 18th Street in the west to 3rd Street in the east;
- (3) College Street, from 12th Street in the west to 5th Street in the east;
- (4) South 8th Street, from Taylor Street in the north to South Hill Street in the south;
- (5) North Hill Street, from Georgia Avenue in the north to East Broadway Street in the south;
- (6) South Hill Street, from Taylor Street in the north to Oak Street in the south.

(c) Signs authorized. Any property located in an Emerging Commercial Corridor may post only such signs as are authorized by this Section and shall comply with the following requirements:

(1) *Ground signs.* Each property may contain one (1) ground sign in accordance with the following:

- a. Number of signs, sign area. One ground sign limited to eight (8) square feet of sign area shall be allowed, with permit, for each street frontage only to the extent that such property includes sufficient land that the freestanding sign can be erected free and clear of the public right-of-way and no closer than ten (10) feet to curb or edge of pavement.
- b. Encroachment, required setbacks. Ground signs may encroach into front and side yards provided that they are located entirely on private property and are located no closer than ten (10) feet from the back of the curb or from the edge of the pavement of a street with no curbing. Signs shall not project over property lines.
- c. Height restrictions. The height of all ground signs at their highest point shall not exceed five (5) feet above the grade of the adjacent street.

- (2) *Building signs.* In addition to any other signs authorized by this Section, such property may contain no more than one (1) building signs per building façade, limited to no more than six (6) square feet in sign area. No reader boards shall be permitted. No wall sign may project more than four (4) inches from the wall.
- (3) *Standard informational signs.* In addition to any other sign authorized by this Section, such property may contain standard information signs, without a permit or fee, located so that the sign is located entirely on private property and no sign is closer than ten (10) feet to the back of the curb or from the edge of the pavement on streets with no curbing, as follows:
- a. Except as provided in Subparagraph b. below, not more than one standard informational sign.
  - b. An unlimited number of standard information signs are allowed during a political election, between the date of qualification of candidates and final determination on each ballot issue or candidate.
- (4) *Prohibited signs.* The following signs are prohibited within the Emerging Commercial Corridors:
- a. Billboards, drive-thru menu boards, and permanent subdivision signs.

- b. Banners, pennants and streamers along or across road rights-of-way, except banners erected by governmental authority.
- c. Folding signs, portable display signs or similar moveable signs.
- d. Signs erected on or located on any street or public right-of-way, curbs, curbstone, hydrant, lamppost, trees, barricade, temporary walk, or public utility poles, except signs erected by or at the direction of the governmental authority.
- e. Signs with revolving or rotating beams of light.
- f. Rotating signs.
- g. Signs placed upon a structure in any manner so as to disfigure or conceal any window opening, door or significant architectural feature or detail or any building.

**SECTION 15. SPECIAL EVENT PERMITS.**

Properties in commercial, office and industrial districts may erect window signs and spectacular signs and devices inside the building housing the premises without first obtaining a permit; provided that when such sign or device is erected inside a window visible from outside the building, the display area of the sign shall not exceed thirty percent (30%) of the total window surface, and the sign shall not remain in place longer than thirty (30) days. All other special event signage, including portable signs and spectacular signs

and devices shall be displayed only by permit under the following conditions and requirements:

- (1) Prior to display of a special event sign, an application for a permit shall be filed with the Building Official. One permit shall be issued to cover all signs and devices during the period of permit coverage. Handling of permit requests shall conform to Section 6. All signs and devices to be covered by the permit shall be specifically described as to their construction and/or composition and location on the business premises.
- (2) The maximum size allowed for the total of all window signs to be displayed under the permit shall be one hundred-fifty (150) square feet. The maximum size allowed for the total of all spectacular signs shall be three hundred (300) square feet.
- (3) Spectacular signs may be attached to the exterior wall or walls of the building or securely attached to the roof, but shall not be placed on or located so as to obstruct the public right-of-way. Portable signs may be located within parking areas of the business premises (but not upon the right-of-way), provided minimum standards for all off-street parking are maintained.
- (4) The maximum number of special event permits to be issued to a single premises in a business, office or industrial district shall be four (4) per year for a period of time not to exceed thirty (30) days for each permit

issued. No more than one special event permit shall be issued per calendar quarter per business premises.

- (5) Except as modified by this Section all special event signs or devices must comply with all other applicable regulations and conditions set forth in this ordinance governing their usage.

**SECTION 16. ERECTING SIGNS ON PRIVATE PROPERTY.**

(a) No person in the City shall place, print, nail, tack or otherwise fasten any card, banner, hand built sign, poster, advertisement or notice of any kind, or cause the same to be done, on any private property without the written consent of the owner of such property.

(b) No person shall construct, erect, operate, use or maintain any sign without the written permission of the owner or the person in lawful possession or control of the property on which such structure or sign is located.

**SECTION 17. EXCEPTION TO PERMIT PROVISIONS.**

The permit requirements of this ordinance shall not apply to the following, provided that the signs or devices erected or placed are located on property of the person who erects such signs or on property whose owner has given written permission for such placement.

- (1) Flags of a size not exceeding four (4) feet by six (6) feet attached to a pole mounted directly onto a residence, business or commercial structure, not to exceed two per premises, or one (1) flag not exceeding

48 square feet mounted on an independent flagpole installed directly into the ground.

- (2) Any sign erected by or at the direction of any government.
- (3) Seasonal or holiday decorations erected on either public or private property.
- (4) Identification plates for doors not exceeding four (4) inches by eighteen (18) inches in size.
- (5) Building numerals designating property numbering of a building or premises, such numerals not to exceed a height of six (6) inches on residential property or a height not exceeding twelve (12) inches on commercial, office or industrial property.
- (6) Additional freestanding signs permitted during election seasons as described in Section 10 through 14.
- (7) Standard informational signs meeting the standards of this ordinance.
- (8) Alarm system signs not exceeding six (6) inches by six (6) inches.

**SECTION 18. NON-CONFORMING SIGNS.**

(a) Signs that, on the effective date of this ordinance, were approved and legally erected under previous sign restrictions, and that became or have become non-conforming

with respect to the requirements of this ordinance, may continue in existence subject to the remaining provisions of this Section.

- (1) No increase in size of the non-conforming sign shall be permitted.
- (2) Existing signs which were legally erected and which have become non-conforming and do not meet the setback requirements of this ordinance due to road widening may be moved to meet the setback requirement of this ordinance but shall not be increased in size, shape or changed in any manner except as to become conforming.
- (3) In all zoning districts, signs which were:
  - a. Illegally erected or maintained with respect to prior ordinances.
  - b. Made of paper, cloth or non-durable materials (except standard informational signs); or
  - c. Located in the public right-of-way (except as permitted by this ordinance) shall be prohibited and shall be removed by the owner.
  - d. Upon failure to comply with any requirement of this Section, the Building Official or his authorized agent may cause the removal of such sign at the expense of the owner.
- (4) A non-conforming sign shall not be replaced by another non-conforming sign, except that the substitution or interchange of poster

panels, painted boards or de-mountable material on non-conforming signs shall be permitted.

- (5) Minor repairs and maintenance of non-conforming signs such as electrical repairs or lettering repair shall be allowed. However, no structural repairs or changes in the size or shape of the sign shall be permitted except to make the sign comply with the requirements of this ordinance; provided that signs damaged by fire or act of God may be restored by their original condition.
- (6) Each non-conforming sign shall be registered within ninety (90) days of the enactment of this ordinance by the sign owner, and if it is determined that such non-conforming sign was legally erected under the prior ordinance, then a sign permit shall be issued to the sign owner without charge and the sign shall be marked with a permit decal. Should the owner of a non-conforming sign fail to register such sign with ninety (90) days from the enactment of this ordinance, such failure to register shall be deemed a violation of this ordinance, and such person shall be subject to citation in Municipal Court.
- (7) Existing signs on the property of newly annexed territory that were legally erected under the county ordinance which would become non-conforming under this ordinance upon annexation by the City shall be allowed to remain, provided such sign shall be registered with the City within ninety (90) days of annexation.

(b) The Building Official shall be responsible for enforcement of the provisions of this Section. Notices of violation shall be provided to the sign owner in accordance with the requirements of Section 21.

**SECTION 19. INSPECTIONS.**

The Building Official shall periodically inspect each permanent and temporary conforming and non-conforming sign in an attempt to ascertain whether the same is secure or insecure, and whether it is in compliance with the requirements of this ordinance or in need of repair. Responsibility for the safety of signs and security of their attachment or erection remains at all times with the sign owner.

**SECTION 20. SIGNS REQUIRING REMOVAL.**

(a) *Traffic hazards.* Any sign constituting a traffic hazard or a menace to the motoring public or pedestrians, as determined by the Building Official in consultation with the Chief of Police, shall be removed as provided in Section 21.

(b) *General maintenance.* Every sign, including those signs for which permits are required and those for which no permits or permit fees are required shall be maintained in a safe, presentable and good structural condition at all times. The sign owner shall be responsible for repair or replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of the sign. If the sign is not made to comply with adequate safety and maintenance standards, the Building Official shall require its removal in accordance with Section 21.

(c) *Abandoned signs.* Except as otherwise provided in this ordinance, any sign that is located on property that becomes vacant and unoccupied for a period of three months or longer, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more. Sign panels from abandoned signs shall be removed by the owner of the premises on which the sign is located within the time frame specified in the this Subsection. The supporting structure of an abandoned sign shall be subject to the non-conforming use provisions of Section 18.

(d) *Dangerous or defective signs.* No person shall maintain or permit to be maintained on any premises owned or controlled by that person any sign that is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the premises or owner of the sign. Upon failure of the owner to remove or repair a dangerous or defective sign, the Building Official shall proceed as described in Section 21.

(e) *Unlawful signs.* No person shall erect or permit to be erected any sign that does not comply with the provisions of this ordinance.

## **SECTION 21.        REMOVAL PROCEDURE.**

(a) The Building Official shall cause to be removed any sign that he determines endangers the public safety, such as an abandoned, dangerous, or electrically or structurally defective sign or a sign for which no permit has been issued or which is otherwise in violation of this ordinance. The Building Official shall prepare a written notice that shall

describe the sign and specify the violation involved. The notice shall state that if the sign is not removed or the violation is not corrected within twenty (20) business days, the sign shall be removed in accordance with the provisions of this Section.

(b) All notices by the Building Official shall be personally served or sent by certified mail, return receipt requested. Any time periods provided in this Section shall be deemed to commence on the date received if hand delivered or otherwise on the date delivered as shown upon the return receipt of the U.S. Postal Service.

(c) The notice shall be mailed to the owner of the property on which the sign is located, the owner of the sign, and the occupant of the property. If any such person is unknown or cannot be found, notice shall be mailed to such person's last known address, if any, and posted on the sign or on the premises.

(d) Any person having an interest in the sign or the property may appeal the determination of the Building Official ordering removal or compliance by filing a written notice of appeal with the Board of Commissioners within twenty (20) business days after receipt of the notice. Appeals will be handled as provided in Section 6(h).

(e) If the person to whom notice is directed fails to take corrective action within the time period prescribed, or if on appeal the Board of Commissioners affirms the decision of the Building Official and the person fails to take corrective action or remove the offending sign within the time period prescribed, then the Building Official shall proceed to have the sign removed or corrected to bring such sign into compliance with this ordinance or to remove any unsafe condition.

(f) When it is determined by the Building Official that the sign would cause imminent danger to the public safety and contact cannot be made with the sign owner or building owner, no written notice shall have to be served prior to removal. In such emergency situation, the Building Official shall document the unsafe condition and may correct the danger, with all costs being charged to the sign owner or the property owner.

(g) If it shall be necessary for the Building Official to remove the sign pursuant to the provisions of this Section, and it should be practicable to sell or salvage any material derived in the removal, the Building Official may sell or salvage any material derived in the removal. He may sell the same at public or private sale at the best price obtainable and keep an account of the proceeds thereof. Such proceeds, if any, shall be use to offset the cost of removal to be charged to the sign owner or property owner. Any proceeds in excess of the cost of removal shall be returned to the sign owner, if known, or if unknown, shall be deposited in the City Treasury and maintained for benefit of the owner for a period of three years. At the end of three years, all unclaimed proceeds shall become the property the City. Where the proceeds derived from such sale are less than the costs of removal, such deficiency shall constitute a lien against the property on which the sign is located. Such lien shall be collectable in the same manner as City property taxes.

(h) Any sign removed by the Building Official pursuant to the provisions of this Section shall become the property of the City and may be disposed of in any manner deemed appropriate by the City. The cost of removal of the sign by the City shall constitute a lien against the property and shall be recoverable in the same manner as City property taxes. The cost of removable shall include any and all incidental expenses incurred by the City in connection with the sign removal.

**SECTION 22.      VARIANCES.**

(a) Variances from the regulations of this ordinance shall be limited to the following hardship situations:

- (1) 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
- (2) Where visibility of a conforming sign from the proposed street and within fifty (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
  - a. Placement of the sign elsewhere on the lot would not remedy the visual obstruction;
  - b. Such visibility obstruction was not created by the owner of the subject property; and
  - c. The variance proposed would not create a safety hazard to vehicular traffic or pedestrians.

(b) Variances shall be limited to the minimum relief necessary to overcome the hardship. No variances shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist.

(c) Relief from the application of the provisions of this ordinance by use of variances granted by the Board of Commissioners shall be granted only upon a finding of hardship as previously defined. Hearing on such variances shall be noticed using this same time frames and notice requirements as for variances from zoning decisions.

**Section 2.** Ordinance number 89-3 adopted March 28, 1989, as amended, is hereby repealed in its entirety.

**Section 3.** Any ordinances and Code provisions, or parts thereof, in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

**Section 4.** Except as modified herein, the Code of Griffin, Georgia, is hereby reaffirmed and restated. The codifier is granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter.

**Section 5.** Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The Board of Commissioners hereby declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases maybe declared illegal, invalid or unconstitutional.

SO ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

---

RODNEY McCORD, MAYOR

ATTEST:

---

Kenny L. Smith, Secretary