

TOWNS COUNTY SIGN ORDINANCE

APRIL 17 2000

Definitions

The words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in appendix A, except where the context indicates a different meaning.

Objective and Purpose

The objective of this Ordinance is to protect and preserve the aesthetic qualities of Towns County, establish requirements to regulate the number, size, placement, installation, and maintenance of signs and off-premise advertising. With these objectives in mind, it is the intention of this Ordinance to authorize the use of signs that:

- Are compatible with their surroundings in terms of existing land use and architectural characteristic;
- Are appropriate to the type of activity to which they pertain;
- Are expressive of the identity of the individual properties and/or of the County as a whole;
- In addition, the regulation of signs within the County is necessary and in the public interest:
 - To protect property values within the County;
 - To protect the motoring public from damage or injury caused or partially attributable to distractions or obstructions from improperly designed and situated signs;
 - To promote the economic well-being of Towns County by creating a favorable physical image;
 - To afford the business community equal and fair opportunity to advertise and promote its products and services without discrimination;
 - To eliminate the clutter and unsightliness of excessive signage;
 - To protect the right of citizens to enjoy Towns County's natural scenic beauty;

- To encourage the development of tourism;
- To regulate the construction, erection, maintenance and size of signs that may constitute a direct danger to pedestrians and property, especially periods of high winds.

Jurisdiction and Applicability of Ordinance Requirements

- The Ordinance shall apply to all properties within the unincorporated areas of Towns County. This ordinance shall not relate to the copy or message on a sign within the unincorporated areas of Towns County; Georgia;
- All signs and other advertising structures shall be constructed and maintained in strict conformity with the building and electrical codes adopted by Towns County and the Southern Building Code;
- If any provisions or requirements of this Ordinance are found to be in conflict with any other provision or requirement of this Ordinance or any other applicable governmental law, ordinance, resolution, rule or other governmental regulation of any kind, the more restrictive rule or standard shall take precedence.
- It shall be the duty of the Sheriff of Towns county to enforce the provisions of this Ordinance. Upon information consisting probable cause made known to any person authorized to enforce the provisions of this Ordinance that a violation of same has occurred, a citation and summons may be issued to the alleged violator(s) requiring an appearance before the Magistrate Court of Towns County.

Variations

Variations from provisions of this Ordinance may be requested. All such variations shall be considered and decided by the Towns County Planning Commission.

- No variation will be granted where the requested variation results in the size, shape, height, etc. of any sign, or support structure exceeds the provision of this Ordinance by more than Thirty Percent (30%)

Lighting Requirements

- Lighted, neon or luminous signs giving off light resulting in glare, blinding or any other such adverse effect on traffic shall not be erected or maintained;
- The light from illuminated signs shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways. Lighting shall not be directed skyward;
- No illuminated signs shall be constructed or maintained within One Hundred and Fifty (150) Feet of any residential dwelling as measured from the closest point on the closest property line of the residential dwelling from said sign;
- No sign shall be erected which simulates an official traffic control or warning sign in such a manner as to confuse or mislead the motoring public or hide from view any traffic or street sign or signal.

Height Requirements

No permitted sign, regardless of type, shall exceed the lesser of Thirty (30) feet as measured from ground level to the top of the sign, inclusive of any border and trim, or the highest portion of the roof line of the building.

Prohibited Signs

The following signs and advertising devices are prohibited:

- Signs which advertise or encourage an illegal activity as defined by local, state or federal laws;
- Portable Signs shall be allowed for a maximum period of 60 days for a new business or new owner of any existing business.
- Snipe Signs
- A-Frame, Sandwich Type, Sidewalk or Curb signs;
- Swinging or Projecting signs
- Canopy Signs which exceed the roof line of the building to which the signs are attached;
- Signs that resemble any official traffic control device or emergency vehicle markings;

- Flags (Not intended to be the American Flag, State Flag, or other Official Flag), Banners, Streamers, Tethered Balloons or other Inflatable signs or Figures. Use of these items for special promotions will be allowed for a period not to exceed 7 consecutive days within any six (6) month period. This does not apply to Civic Organizations, Churches, or Non-Profit Organizations;
- Signs which contain or make use of the words: ‘Stop’, ‘Go’, ‘Slow’, ‘Caution’, ‘Danger’, ‘Warning’, or similar words or phrases, symbols or character in such a manner as to interfere with, mislead, or confuse vehicular traffic except construction signs or barricades and except when the words are incorporated in the permanent name of a business;
- A sign which contains any moving, flashing, or animated lights;
- Search lights and beacons or any blinking signs;
- Signs attached to or painted on vehicles of any type which are conspicuously parked in proximity to a right-of-way, and obviously parked in such a way as to advertise any business or service to motorists or pedestrians unless the vehicle contains a valid tag and is insured;
- Signs which emit visible smoke, vapor, particles, or odors

Exempt Signs

Except as otherwise provided, the following ON-PREMISE signs may be erected without securing a permit. Such exempt signs shall not be considered in determining the allowable number or size of signs on a zoning lot; provided, however that they must comply with all other applicable sections of this article and applicable codes and regulations. The erection of any sign not listed in this section shall require a permit:

- Multiple on-site tenant locations with a single master sign listing all tenants, as long as the master sign adheres to the requirements of this Ordinance as it relates to a single tenant;
- One (1) Professional Name Plate for each establishment. Each Professional Nameplate shall not exceed eight(8) square feet in area; One (1) separate identification sign for each establishment when affixed to a building wall or window and limited to a maximum size of not more than 10% of the wall or window area;

- One (1) Informational Bulletin Board for public, charitable, educational, or religious institutions when located on the premises of said institution. Bulletin Boards may not exceed Thirty-Two (32) square feet in area and shall be located in such a manner that said Bulletin Board will satisfy the required setback requirements;
- Traffic, Directional, Warning, or Official Notices or Signs owned by any public agency or office;
- Real Estate Signs – One (1) non-illuminated temporary real estate sign per street frontage and provided as follows:
 - A. Maximum sign area shall be limited to six (6) square feet with a maximum height of four (4) feet in all residential districts and a maximum height of eight (8) feet in all non-residential districts;
 - B. Multiple listing strips, sale pending and sold signs may be allowed when attached to a (2) square feet in area with a maximum height of four (4) feet, may be allowed in addition to the above requirements;
 - C. One (1) on-premise open house or open for inspection sign, not exceeding two (2) square feet in area with a maximum height of four (4) feet, may be allowed in addition to the above requirements;
 - D. All temporary real estate signs shall be removed when ownership or occupancy has changed;
- Flags and Insignia subject to being flown in accordance with standard protocol;
- Integral decorative or architectural features of buildings;
- Non-Advertising directional signs or symbols, such as 911 numbers, not exceeding two (2) square feet, as signs designed to direct and inform the public as to location or direction to a parcel of private property (e.g. entrance, exit, caution, slow, no trespassing, service areas, or loading and unloading areas)
- Signs which appear on vending machines as long as the sign refers to the product contained within or on the device;
- Gasoline Pump signs shall be allowed on gasoline pumps so as to provide information to the public (e.g. gallons, price, octane rating, and type of fuel). As the trade name of the business is often incorporated into the name of the different types of fuel, said trade name and any associated symbols shall be allowed on the pumps;

- Political signs:
 - A. The sign shall not be displayed more than Thirty (30) days prior to the primary election, general election or referendum it concerns and shall be removed within seven (7) days after the election has been held. The owner of the property on which the sign is located and the candidate are responsible for removing the sign;
 - B. The sign shall be located entirely on private property. No sign shall be placed on any public lands or public right-of-way and shall not be attached to any other sign, utility pole, tree, rock, or other form of vegetation or natural feature;
 - C. The number of signs displayed shall be restricted to one (1) sign per parcel of property per candidate;
 - D. Signs shall not exceed six (6) square feet in area.
- Signs for Temporary Garage sales, Yard Sales, and the like, located in residential districts are subject to the following provisions:
 - A. On-Premise signs shall be limited to one (1) sign per parcel of property;
 - B. The maximum area of the sign shall be six (6) square feet; and the maximum height shall be four (4) feet;
 - C. Signs must be removed at the close for sale;
 - D. Signs may not be attached to existing road signs, tree, power/telephone poles or other directional signs on the street.
- Signs located on the inside of windows intended for the purpose of disseminating information about special sales or promotional campaigns, provided that such signs are temporary in nature, and are constructed of such materials that clearly indicates that they are temporary;
- Works of art which do not contain a commercial message;
- Historic Signs
- Municipal Signs
- Signs on public transportation vehicles;

- Signs painted on or otherwise attached to motor vehicles which are not conspicuously parked in proximity to a right-of-way, and obviously not parked in such a way as to advertise any business or service to motorists or pedestrians. This may include signs for Realtors, surveyors, engineers, plumbers, electricians, delivery trucks, lawn services, etc.

Permitted Signs By Type

If not otherwise stated, any sign not specifically prohibited as provided under this Ordinance, shall be permitted, except as otherwise provided for under this Ordinance.

Off-Premise Signs, Including Billboard

- No Off-Premise sign shall be located within five hundred (500) feet of a public park, public playground, public recreation area, public forest, scenic area, or cemetery;
- No individual Off-Premise sign shall exceed an area of three hundred (300) square feet per face with the limitation of one face per location per direction of travel;
- No Off-Premise sign shall be permitted within fifteen hundred (1,500) feet of any other off-premise sign of either sign of the roadway;
- Minimum setback shall be five hundred (500) feet from the road right-of-way;
- Off-Premise signs must be located on a minimum of one-quarter (1/4) acre of land. The land surrounding said sign must be landscaped and maintained in a manner to enhance and conceal any support poles and base of sign. The height of Off-Premise signs shall not exceed thirty (30) feet measured from the ground supporting the sign to the top of the sign (inclusive of any frame);
- Off-Premise signs shall be required to conform to all applicable regulations of the State of Georgia for the “Control of Outdoor Advertising” as may be amended from time to time. Said state regulations shall apply on all routes within Towns County unincorporated areas.

Non-Conforming Signs

Any sign erected or existing as of the effective date of this Ordinance shall be deemed to be a non-conforming sign. A non-conforming sign may be maintained only by painting or refinishing the surface of

the sign face or sign structure to deep up the appearance of the sign. A non-conforming sign shall not be replaced, have its existing configuration altered or relocated on the property without a permit being obtained.

General Requirements For Signs

Signs, regardless of the district in which they are located, shall conform to the following requirements:

- Signs, together with any supporting members, shall be kept in good repair and maintained so as to present a neat, clean appearance and be in safe state of preservation;
- All signs shall be erected in such a manner as to not interfere with or obstruct the view of any authorized traffic sign, signal or device;
- All signs shall be located in such a way that they maintain horizontal and vertical clearance from all overhead utilities in accordance with the National Electrical Code and adhere to any and all Utility Company right-of-ways, requirements and specifications with approval obtained from all Utility Companies;
- Corner Visibility Clearance: In any instance no sign or sign structure (above the height of three (3) feet) shall be maintained within fifteen (15) feet of the intersection of the right-of-way lines extending of two (2) street.

Permit Applications

- Applications for sign permits shall be filed by the sign owner, or his agent, with the Planning Commission or their designee upon forms furnished by the County. Said applications shall describe and set forth the following:
 - A. The type and purpose of the sign as defined in this ordinance;
 - B. The value of the sign;
 - C. The street address and zoning designation of the property upon which the sign is to be located and the proposed location of the sign on the property;
 - D. The square foot area per sign and the aggregate square foot area if there is more than one sign face;

- E. The name(s) and address(s) of the owner(s) of the real property upon which the subject sign is to be located;
 - F. Written consent of the owner, or his agent, granting permission for the placement of the sign;
 - G. A sketch or print drawn to scale showing all dimensions with pertinent information such as wind pressure requirements and display material in accordance with the Standard Building Code as adopted by the County. The Planning Commission or their designee may require additional information on such sketch or print to insure compliance with this Ordinance;
 - H. Name, address, phone number and business license number of the sign contractor;
 - I. All applicants for electrical signs must obtain an electrical permit;
 - J. A written agreement to indemnify and hold the County harmless of all damages, demands or expenses of every type which may in any manner be caused by the sign structure.
- Fees – No permit shall be issued until appropriate application has been filed with the Planning Commission or their designee and applicable permit fees, as adopted by the Commissioner and as amended from time to time, paid;
 - Permit Expiration – A sign permit shall become null and void if construction of the sign has not begun within a period of two (2) months from the date of issuance and completed within six (6) months from the date of issuance. Issuance of a sign permit shall in no way prevent the County from later declaring the sign to be non-conforming or unlawful if upon further review of available information, the sign is found not to comply with the requirements of this Ordinance;
 - Existing signs, not presently in compliance with this ordinance, must come into compliance within ten (10) years from the date of this ordinance;
 - In event a business changes ownership and said business had an existing sign, the new owner keep sign for the duration of years remaining before complying with this Ordinance. However, if the new owner changes name of business a sign permit must be obtained.

Penalties For Violations

Any person, firm, corporation, or other entity which does any act prohibited by this Ordinance, or which fails to discharge any duty imposed hereby, shall be guilty of a violation of a County Ordinance, amenable

to the process of the Magistrate Court of Towns County. Each day the violation continues shall constitute a separate offense. It shall be the duty of the Sheriff of Towns County to enforce the provisions of this Ordinance. Upon information constituting probable cause made known to any person authorized to enforce the provisions of this Ordinance that a violation has occurred, a citation and summons may be issued to the alleged violator requiring him/her to appear before the Magistrate Court of Towns County on a day and time certain, to answer the charge contained herein.