

**THE BOARD OF COMMISSIONERS
OF DOUGHERTY COUNTY**

**COMPREHENSIVE
SIGN ORDINANCE**



**ADOPTED APRIL 13, 1998
BY THE BOARD OF COMMISSIONERS**

98-012

A RESOLUTION
ENTITLED

A RESOLUTION ADOPTING NEW SIGN REGULATIONS FOR THE UNINCORPORATED AREAS OF DOUGHERTY COUNTY, GEORGIA; REPEALING PRIOR RESOLUTIONS IN CONFLICT; AND FOR OTHER PURPOSES.

WHEREAS, such existing sign regulations are found by the Board of Commissioners of Dougherty County, Georgia, to be insufficient and the Board desires to adopt additional regulations governing the erection of signs; and

WHEREAS, the Board of Commissioners of Dougherty County, Georgia, determined that the number of signs in Dougherty County are excessive and unduly distracting to motorists and pedestrians, creates a traffic hazard, and in some places reduces the effectiveness of signs needed to direct the public, that the appearance of Dougherty County is marred by the excessive number of signs, that the number of distracting signs needs to be reduced in order to minimize the aforementioned effects, and that signs of least importance in occupying limited public views to people within Dougherty County are those which convey commercial messages other than the advertisement of any product, service, event, person, institution or business located on the premises where the sign is located, or for the sale or rental of such premises, and that the regulations contained in this resolution are the minimum amount of regulations necessary to achieve its purpose;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Dougherty County, and IT IS HEREBY RESOLVED by the authority of same that the attached sign resolution is hereby adopted and incorporated herein as if set out verbatim.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions in conflict herewith are repealed.



CHAIRMAN

ATTEST:


COUNTY ADMINISTRATOR

Adopted: April 13, 1998 Special Session

ARTICLE II. - SIGN REGULATIONS

Sec. 2-13.3-21. - Statement of purpose.

The purpose and intent of this article is to establish a set of standards for the fabrication, erection, and use of signs, symbols, markings, or advertising devices within Dougherty County. These standards are designed to protect and promote the health and safety of persons within Dougherty County and to aid and assist in the promotion of business and industry and social interaction by providing regulations which allow and encourage creativity, effectiveness, and flexibility in the design and use of such devices, while avoiding an environment that encourages visual blight and creates traffic hazards. Therefore, it is hereby determined without a set of standards, the number, size and height of signs in Dougherty County would become excessive and unduly distracting to motorists and pedestrians, creating traffic hazards and reducing the effectiveness of signs needed to direct the public. It is also determined that the appearance of the county would be marred by an excessive number, size and height of signs. It is also determined that the number, size and height of distracting signs needs to be reduced and prohibited in order to minimize the aforementioned effects, and that signs of least importance in occupying limited public views within the County are those which convey commercial messages other than the advertisement of any product, service, event, person, institution or business located on the premises where the sign is located, or for the sale or rental of such premises. It is also determined that the regulations contained in this resolution are the minimum amount of regulations necessary to achieve its purpose.

Nonconforming signs are hereby declared public nuisances and should be abated to enhance and protect the public interest and welfare.

Any sign, display, or device allowed under this resolution may contain, in lieu of any other copy, any lawful noncommercial message that does not direct attention to a business operated for profit, or to a product, commodities or service for sale or lease, or to any other commercial interest or activity, so long as said sign complies with the size, height, area, lighting, and other requirements of this resolution.

(Res. No. 98-012, § 1, 4-13-98)

Sec. 2-13.3-22. - Jurisdiction.

This article shall apply within the unincorporated area of Dougherty County, Georgia.

(Res. No. 98-012, § 2, 4-13-98)

Sec. 2-13.3-23. - Applicability of other code or regulatory requirements.

- (a) Signs or other advertising structures shall be constructed and maintained in strict conformity with Dougherty County building and electrical codes and all other applicable regulations.
- (b) If any provisions or requirements of this resolution are found to be in conflict with any other provision or requirement of this resolution or of any other applicable governmental law, resolution, rule or other governmental regulation of any kind, the regulation which establishes the more restrictive rule or higher standard shall govern.

(Res. No. 98-012, § 3, 4-13-98)

Sec. 2-13.3-24. - Definitions.

Advertise: To inform; to notify; to announce; to attract public attention by emphasizing desirable qualities in order to arouse a desire to purchase or invest.

Animated sign: Any sign of which all or any part thereof visibly moves in any fashion whatsoever; and any sign which contains or uses for illumination any light, lights, or lighting device or devices which change color, flash or alternate, show movement or motion, or change the appearance of said sign or any part thereof automatically.

Arterial street: Unless otherwise specified by the Comprehensive Plan or Transportation Plan adopted by Dougherty County, arterial streets are those streets and highway facilities, including full and partial access controlled highways and major urban area entrance highways, which are designed to carry the highest traffic volumes and the longest trips through and within an urban area.

Automobile dealership: A commercial establishment whose principal business is the retail sale of new automobiles and trucks shipped from a major automobile manufacturing company and where the sale of used automobiles and trucks is only a secondary or ancillary function of the business.

Banner: Any hanging sign possessing characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind. This classification shall not include plastic or fabric signs, which are permanently attached within a rigid frame which are intended to be used as a permanent sign. National flags, flags of political subdivisions and symbolic flags of any institution or business shall not be considered banners for the purpose of this resolution.

Building official: The chief building inspector of Dougherty County, or his authorized representative.

Bench sign: A sign located on any part of the surface of a bench or seat placed adjacent to a public right-of-way.

Canopy: See "Marquee."

Changeable copy sign: Any poster board, bulletin board, neon sign, screen, surface or wall, with characters, letters or illustrations affixed thereto or thereon, by any method or means whatsoever, that can be changed, rearranged, or altered without changing the face of the poster board, bulletin board, neon sign, screen, surface or wall.

Collector street: Unless otherwise specified by the Comprehensive Plan or Transportation Plan adopted by Dougherty County, collector streets are those streets that collect traffic from minor streets or other collector streets and channel it to the arterial system. Collector streets provide land access and traffic circulation within residential neighborhoods, commercial and industrial areas.

Construction sign: Any sign giving the name or names of principal contractors, architects, and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon.

Copy: The wording or graphics on a sign surface in either permanent or removable form.

Development sign: A sign, which, by symbol or name, identifies a development. It may also provide an index of uses (tenants) included in the development.

Directional sign: A sign permanently or temporarily erected by or with approval of any authorized government agency to denote the route to any city, town, village, historic place, shrine, or hospital; signs directing and regulating traffic, notices of any railroad bridge, or other transportation activity necessary for the direction or safety of the public; signs, notices, or symbols for the information of aviators as to location, directions, and landings, and conditions affecting safety in aviation; signs, notices, or symbols as to the time and place of civic meetings; and signs or notices erected or maintained upon public property giving the name of the owner, lessee, or occupant of the premises or the street number thereof.

Double-faced sign: A sign having two (2) display surfaces, not necessarily displaying the same copy.

Erect: To build, construct, attach, hang, place, suspend, or affix and shall include the painting of wall signs.

Establishment: A commercial, industrial, institutional, educational, office, business, or financial entity.

Flashing sign: A sign designed to attract attention through the use of a flashing, changing, revolving or flickering light source, or a change of light intensity.

Frontage: The length of the property line of any one premises along a street on which it borders.

Frontage, building: The length of an outside building wall on a street.

Gasoline station: Any establishment dispensing gasoline for retail sales.

Ground sign: Any sign, which is supported by structures or supports in or upon the ground and independent of support from any building.

Identification sign: A sign, which depicts the name and/or address of a building or establishment on the premises where the sign is located as a means of identifying said building or establishment.

Illuminated sign: A sign which contains a source of light or which is designed or arranged to reflect light from an artificial source including indirect lighting, neon, incandescent lights, back lighted, and reflectorized signs which depend upon automobile headlights for an image.

Indirectly illuminated sign: A sign illuminated with a light directed primarily toward such sign, including back lighted signs, and so shielded that no direct rays from the light are visible.

Internally illuminated sign: A light source, which is enclosed within the sign and viewed through a translucent panel.

Mansard sign: A mansard sign shall mean any sign attached to or erected against a mansard of a building, with the face horizontally parallel to the building wall. Since said sign is to be mounted parallel to and within the limitations of the building wall on which same is to be mounted, the same is deemed to be a wall sign and not a roof sign.

Marquee: A canopy or covered structure projecting from and supported by a building when such canopy or covered structure extends beyond the building line or property line.

Nonconforming sign: Any sign, legal at the time of its erection, which does not conform to the requirements of this resolution.

Off-site sign: A sign relating its subject matter to premises other than the premises on which it is located or to products, accommodations, services or activities available on premises other than the premises on which the sign is located, including but not limited to billboards.

On-site sign: A sign relating its subject matter to the premises on which it is located, or to products, accommodations, services or activities on the premises.

Painted wall sign: Any sign, which is applied with paint or similar substance on the face of a wall.

Permanent sign: A sign permanently affixed to a building or to the ground.

Political sign: A sign identifying and urging voter support for or opposition to a particular issue, political party, or candidate for public office.

Portable sign: Any sign whether on its own trailer, wheels, or otherwise, which is designed to be transported from one place to another. It is characteristic of a portable sign that the space provided for advertising messages may be changed at will by the replacement of lettering or symbols. Even though the wheels or supports of such sign should be removed and the sign rendered immobile, such sign shall retain its character as a portable sign based on its original design unless it is permanently attached to the property as an on-site sign.

Premises: An area of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Projecting sign: Any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall.

Promotional sign: A sign designed and intended to promote the sale of unplatted land where more than one (1) lot and/or principal building is involved. Also, a sign designed and intended to advertise the grand opening of a business, special promotions or similar events.

Public service sign: A sign designed to render a public service such as but not limited to "time and temperature" signs and "flashing news" signs.

Real estate sign: A sign that advertises the sale, rental or development of the premises upon which it is located.

Residential district: Includes all land zoned E-1, E-2, R-1, R-2, R-3, R-4, R-4A, R-4B, R-5, and R-6.

Revolving sign: Any sign so erected or constructed as to periodically change the direction toward which any plane containing the sign surface area is oriented.

Roof sign: Any sign erected, constructed, and maintained wholly upon or over the roof of any building with the principal support on the roof structure.

Sandwich sign: Any sign, double or single faced, which is portable and may readily be moved from place to place.

Shopping center: A group of two (2) or more retail and service establishments of more than twenty-five thousand (25,000) square feet gross floor area on the ground floor located on commonly owned property sharing the same parking facilities and connected together by common walls, interior aisles, or malls.

Sign: Any writing, pictorial presentation, illustration, or decoration, flag, banner or pennant or other device which:

- (a) Is used to announce, direct attention to, identify, advertise or otherwise make anything known; and
- (b) Is designed to be visible from any street or adjoining property.

The term "sign" shall not be deemed to include the terms building or landscaping, or any architectural embellishment of a building not designed to communicate information.

Sign face: The area of a sign on which the copy is placed.

Sign height: The vertical distance from the finished grade at the base of the supporting structure to the top of the sign, or its frame or supporting structure, whichever is higher.

Sign number: For the purpose of determining the number of signs, a sign shall be construed to be a single display structure or device containing elements organized, related, and composed to form a single unit. In cases where material is displayed in a random or unconnected manner, or where there is reasonable doubt as to the intended relationship of such components, each component or element shall be considered to be a single sign. A projecting sign or ground sign with sign surface on both sides of such sign shall be construed as a single sign, and the total area of such sign shall be the area computed on a single side.

Sign structure: Any construction used or designed to support a sign.

Sign surface area: The surface area of a sign shall be computed for the entire area within the periphery of a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed, but not including structural elements of the sign bearing no advertising matter. The surface area of a sign shall be measured from the outside edges of the sign or the sign frame, whichever is greater.

Snipe sign: Any sign of any material whatsoever that is attached in any way to a utility pole, tree, fence post, or any other similar object located or situated on public or private property. Snipe signs shall not include "posted property" signs.

Street: A public or private right-of-way for vehicular traffic, including highways, thoroughfares, lanes, roads, ways, boulevards, and other terms but not including alleyways between buildings and lots, parking lots and driveways.

Subdivision sign: Any sign designed to identify a subdivision or neighborhood.

Temporary sign: A sign or advertising display constructed of cloth, canvas, fabric, paper, plywood, or other light material and intended to be displayed for a short period of time. Included in this category are retailers' signs temporarily displayed for the purpose of informing the public of a sale or "special" offer and banner signs.

Wall sign: A sign attached to or erected against the wall of a building with the face in a parallel plane to the plane of the building wall.

Window sign: Any sign placed inside or upon a window facing the outside and which is intended to be seen from the exterior.

(Res. No. 98-012, § 4, 4-13-98)

Sec. 2-13.3-25. - Permits, inspections, etc.

- (a) *Permit required.* Except as otherwise provided herein, it shall be unlawful for any person to erect, construct, enlarge, move, or convert any sign in Dougherty County or cause the same to be done without first obtaining a sign permit from the building official. These directives shall not be construed to require any permit for change of copy on any sign nor for the repainting, cleaning, or other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign or sign structure is not modified or enlarged in any way.
- (b) *Application.* In order to obtain a permit to erect, alter or relocate any sign under the provisions of this resolution, an applicant therefor shall submit to the building official a sign permit application which shall set forth in writing a complete description of the proposed sign including:
 - (1) The name, address, and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or erector.
 - (2) The name, address and telephone number of the owner or lessee of the lot on which the sign is located if different from those designated above.
 - (3) The location by street address of the proposed sign structure.
 - (4) Complete information as required on application forms provided by the building official, including a drawing of the proposed sign showing dimensions, (for identification purposes only), and such other data as are pertinent to the application.
 - (5) Where the sign construction requires an electrical connection, the electrical contractor shall obtain an electrical permit.

The building official shall act upon an application for a permit with plans as filed, or as amended, within five (5) working days.

- (c) *Issuance of permit if application in order.* It shall be the duty of the building official, upon receipt of a completed application for a sign permit, to examine such plans and specifications and other data and, if the proposed structure is in compliance with the requirements of this section and all other applicable provisions of this article to issue, within five (5) working days from date of filing, to the applicant a written permit evidencing the applicant's compliance therewith. Issuance of the permit shall in no way prevent the building official from later declaring said sign to be nonconforming if the permit is obtained based on false information submitted by the applicant.
- (d) *Permit duration.* A sign permit shall become null and void if the construction of the sign for which the permit was issued has not begun within a period of six (6) months after the date of issuance and completed within twelve (12) months after date of issuance.
- (e) *Work on illegal signs.* No person shall erect or assist in the erection, construction, maintenance, alteration, relocation, repair or painting of, or do any work upon any sign for which a permit has not been obtained. Any such sign shall be illegal and the building official shall order the owner to remove

the same immediately. If the owner fails to remove the same within thirty (30) days, the building official shall proceed in accordance with sections 2-13.3-33 and 2-13.3-34 of this article.

- (f) *Inspection.* All signs for which a permit is required by this article are subject to inspection by the building official.
- (g) *Revocation.* The building official is hereby authorized and empowered to revoke any permit issued by him upon failure of the holder thereof to comply with the provisions of this section within thirty (30) days after notification in writing.
- (h) *Permit fees for on-site signs.* Before any permit is issued under the provisions of this section, the applicant shall pay a fee as follows:
 - (1) For each permit for signs, illuminated or not, fifty cents (\$0.50) per square foot on each face.
 - (2) For each permit for a painted wall sign, fifty cents (\$0.50) per square foot on each face.
 - (3) Provided the minimum permit fee for any sign as described in (1) and (2) above shall be forty dollars (\$40.00).
 - (4) Provided that no permit fee for on-site permanent signs shall be required or charged under this section when said sign has no electrical connection and the sign surface area on the premises is twenty-four (24) square feet or less.
 - (5) A double permit fee shall be paid in addition to any other penalties levied for violation of this section.
- (i) *Permit fees for temporary signs.* Before any permit is issued under this section for temporary signs, the applicant shall pay a permit fee of thirty dollars (\$30.00).
- (j) *Off-site signs.* All persons owning one or more off-site signs within the unincorporated limits of Dougherty County shall, not later than one hundred eighty (180) days after the adoption of this article, file with the Dougherty County Clerk a complete written inventory of such signs, giving the location, description, size, and date of erection of said sign.

(Res. No. 98-012, § 5, 4-13-98)

Sec. 2-13.3-26. - Removal, alteration or maintenance of signs.

- (a) The building official shall notify the owner to remove or conform any and all signs constructed or maintained in violation of any of the provisions of this article. If such removal or conformance is not accomplished within thirty (30) days after the notice, the building official shall proceed in accordance with subsection (h) of this section.
- (b) Except as otherwise provided in this article, any on-site sign that is located on property which becomes vacant and is unoccupied for a period of six (6) months or more, or any on-site sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned. Permanent on-site signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of twelve (12) months or more. An abandoned on-site sign is prohibited and is a violation of this article.
- (c) All signs for which a permit is required by this article, including their supports, braces, guys and anchors, shall be maintained so as to present a neat, clean appearance. Painted areas and sign surfaces shall be kept in good condition, and illumination, if provided, shall be maintained in safe and good working order.
- (d) Weeds and grass shall be kept cut in front of, behind, underneath, and around the base of ground signs for a distance of ten (10) feet, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near such signs.

- (e) If the building official shall find that any sign regulated under this article is unsafe or unsecured, or is a menace to the public, he shall give written notice of such findings to the owner, agent or lessee thereof. If the owner, agent or lessee fails to remove or alter the structure so as to comply with the standards herein set forth within thirty (30) days after said notice, the building official shall compel compliance, as provided in subsection (h) of this section.
- (f) When any sign constitutes an immediate peril to persons or property, the building official may require the condition to be remedied immediately, including removal of the sign if that be necessary to remedy the condition.
- (g) For the purpose of this article, the word "remove" shall mean that the sign face and sign structure, including all posts, columns, or supports shall be taken down and removed from the property. Ground signs, unless bolted to a foundation, shall be removed three (3) inches below grade.
- (h) The building official, in carrying out his duty and authority under section 2-13.3-26 of this article, or in enforcing any penalty provision hereof, or in carrying out his responsibility to remove any sign, shall utilize and follow the procedures set forth in sections 2-13.3-33 and 2-13.3-34 of this article.

(Res. No. 98-012, § 6, 4-13-98)

Sec. 2-13.3-27. - Nonconforming signs.

- (a) The following signs shall be removed or made to conform to this article within ninety (90) days from the effective date of this article.
 - (1) Nonconforming signs made of paper, cloth, or other nondurable material.
 - (2) All temporary signs other than those permitted herein.
 - (3) Any signs, except portable signs, that are not affixed to a building or the ground or that are located on public property or within a public right-of-way, unless otherwise permitted.
 - (4) Bench signs.
- (b) Except as provided in subsection (b)(7) hereof, the use of portable signs is prohibited after one (1) year from the effective date of this article.
- (c) Any animated component of any portable sign shall be permanently discontinued within ninety (90) days from the effective date of this article.
- (d) Nonconforming permanent on-site signs and off-site signs shall be made to conform or be removed according to the following schedule with all time periods beginning on the effective date of this article:
 - (1) Off-site signs—ten (10) years, subject to a future determination by Dougherty County of the necessity for determining just and adequate compensation under subsections (d)(5) and (i) of this section and section 2-13.3-28, hereof.
 - (2) All on-site nonconforming signs shall be removed or shall be altered to conform to the provisions of this chapter as follows:
 - a. When the nature of the business conducted on the premises changes and the sign is changed or modified either in shape, size, or legend; or
 - b. When the name of the business changes and the sign is changed or modified either in shape, size, or legend; or
 - c. Within ten (10) years from the effective date of this article; whichever event stated in a., b., or c. first occurs, provided, however, that no on-site nonconforming sign shall be removed due to the passage of time (ten (10) years) alone unless Dougherty County pays just and adequate compensation for said sign and initiates eminent domain proceedings as required under subsections (d)(5) and (i) of this section and section 2-13.3-28, hereof.

- (3) A nonconforming permanent on-site sign or off-site sign shall not be replaced by another nonconforming sign except that substitution or interchange of letters and face panels on nonconforming signs shall be permitted through the period of nonconformity established by this article.
 - (4) Not less than twelve (12) months before the expiration of a period of nonconformity, the building official shall give written notice that the nonconforming on-site sign or off-site sign shall be made to conform out.
 - (5) If any sign is not brought into compliance within the time specified, the building official is hereby authorized to initiate procedures for the removal of such sign and any expense incident thereto shall be paid by the owner, agent, or lessee of said sign or of the property upon which the sign is located, subject, however, to the provisions of subsection (i) of this section and section 2-13.3-28 of this article.
- (e) Nonconforming permanent on-site signs and nonconforming permanent off-site signs may be maintained and repaired but shall not be structurally or mechanically extended or altered to further the nonconformance.
 - (f) Nonconforming real estate signs shall be removed or made to conform within one (1) year of the effective date of this article.
 - (g) Notwithstanding any contrary provision in this section, no nonconforming sign is required to be removed solely by the passage of time if, to so require, is otherwise prohibited by state or federal law.
 - (h) Nonconforming signs are hereby declared to be a public nuisance.
 - (i) Whenever the enforcement of this article against any sign, or against the owner of any interest in any sign, results in a taking of property which, under the Constitution of the United States or the State of Georgia, requires the payment of just compensation, this resolution shall not be enforced against such sign or such owner without complying with such requirement.

(Res. No. 98-012, § 7, 4-13-98)

Sec. 2-13.3-28. - Pay for taking.

Whenever the owner of any permanent sign is compelled to remove the same solely because of the passage of time, such owner shall be entitled to just compensation within the meaning of the Constitution of the United States and the State of Georgia, and removal shall not be required unless and until Dougherty County shall initiate proceedings under the eminent domain statutes of the State of Georgia to determine the amount of just compensation. Any such sign shall continue to remain in place until Dougherty County has complied with the foregoing provision.

(Res. No. 98-012, § 8, 4-13-98)

Sec. 2-13.3-29. - Penalties.

Each violation of this article shall constitute an offense punishable as provided in sections 2-13.3-33 and 2-13.3-34 of this article. This provision shall be in addition to, and not in lieu of, all other provisions of this article establishing penalties or remedies for violations.

(Res. No. 98-012, § 9, 4-13-98)

Sec. 2-13.3-30. - Variances and appeals.

- (a) *Variances.*

- (1) With respect to those regulations of the sign resolution pertaining to permanent on-site signs only, the Albany-Dougherty Planning Commission (planning commission) shall be authorized to grant such variances from the terms of the sign resolution as will not be contrary to the public interest, where, due to special conditions surrounding such permanent on-site signs, a literal enforcement of the provisions of the sign resolution will, in an individual case, result in unnecessary hardship so that the spirit of the sign resolution shall be observed, public safety, health and welfare secured, and substantial justice done. Such variances may be granted in such individual case of unnecessary hardship upon a finding by the planning commission that:
 - a. There are extraordinary and exceptional conditions pertaining the particular sign in question because of its cost, its location, and/or the needs of the business served by said sign; and
 - b. The application of the sign resolution to this particular sign would create an unnecessary hardship; and
 - c. Such conditions are peculiar to the particular sign involved; and
 - d. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the sign resolution.

In exercising the foregoing powers, the planning commission may, in conformity with the provisions of the sign resolution, grant variances under the following circumstances, the specific instances hereafter enumerated not being intended to be exclusive and not in any way affecting the generality of the authority of the planning commission to grant hardship variances:

- a. Grant extensions of time for bringing a nonconforming permanent on-site sign into conformity with the terms of the resolution, where the owner of the sign demonstrates to the satisfaction of the planning commission that because of special circumstances existing the literal enforcement of the time provisions of the resolution will result in economic loss and hardship to the owner disproportionate to that suffered by others.
 - b. Grant variances from the size, shape, height, form, and design requirements of this resolution where in the judgement of the planning commission the permanent on-site sign as designed and constructed is architecturally and aesthetically consistent with its surroundings, or where the owner establishes to the satisfaction of the planning commission a valid business need for the sign as designed and constructed.
- (2) Requests for variances regarding any part of this article or the enforcement thereof shall be made in written form to the Albany-Dougherty Planning Commission. Such variance request shall specifically include reasons why the application should be granted.
 - (3) Variance procedures shall apply both to signs, which are nonconforming on the effective date of this article, and to signs erected after the effective date of this article.
 - (4) Decisions of the Albany-Dougherty Planning Commission shall be final; subject, however, to such legal remedy as any aggrieved party might have.
 - (5) All applications for variances shall be filed, processed and considered with the payment of a filing fee of two hundred dollars (\$200.00), and with the appropriate advertising.
- (b) *Appeals.* Requests for appeals regarding any part of this article or the enforcement thereof shall be filed, processed and considered in accordance with the procedures established in the Albany-Dougherty Zoning Resolution or the equivalent provision of any subsequent zoning resolution or amendment, but appeals shall be considered and acted upon by the Albany-Dougherty Planning Commission.

(Res. No. 98-012, § 10, 4-13-98)

Sec. 2-13.3-31. - General regulations.

(a) *Prohibited signs.*

- (1) On-site signs and off-site signs which are not designed, constructed, or maintained in accordance with these provisions, which are not compatible with the objectives of this article, or which do not meet the requirements of all applicable city, county, state and federal codes.
- (2) Lights and signs that resemble any traffic control device, official traffic control signs, or emergency vehicle markings such as rotating beacons or strobe lights.
- (3) Signs or other advertising matter as regulated by this resolution erected at the intersection of any streets or in any street right-of-way in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape, or color, it may interfere with or obstruct the view of any authorized traffic sign, signal, or device; or which makes use of words "stop," "look," "drive-in," "danger," or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead or confuse vehicular traffic.
- (4) Unshielded illuminated devices that produce glare or are a hazard or a nuisance to motorists or occupants of adjacent properties such as sealed beam, flood or spot lights.
- (5) Banners or flying paraphernalia, except as permitted in section 2-13.3-32(b)(5) of this article as a temporary sign, or except as used by legally constituted governmental agencies and authorities.
- (6) Animated signs. Any existing animated permanent sign is considered a nonconforming sign and will be governed under section 2-13.3-27(a) of this article.
- (7) Signs that produce noise or sounds capable of being heard even though the sounds produced are not understandable sounds.
- (8) Signs, which emit visible smoke, vapor, particles, or odor.
- (9) Signs with any lighting or control mechanism, which causes radio or television or other communication interference.
- (10) Motion picture mechanisms used in such a manner as to permit or allow the images to be visible from any public street or sidewalk.
- (11) Signs erected, constructed, or maintained so as to obstruct, or be attached to any fire-fighting equipment, window, door, or opening used as a means of ingress or egress or for fire-fighting purposes, or placed so as to interfere with any opening required for proper light and ventilation.
- (12) Signs erected on or over public property including public rights-of-way, other than signs erected by public authority for public purposes, except signs previously authorized by Dougherty County.
- (13) Signs, except "posted property" signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.
- (14) Signs attached to or painted onto a vehicle parked on and visible from a street for the sole purpose of advertising onto said street, except signs advertising the vehicle for sale.
- (15) Sandwich signs.
- (16) Snipe signs.
- (17) Window signs which identify or advertise activities, services, goods, or products available within the building, and which collectively cover more than ten (10) per cent of the window glass surface area, when the business or establishment has normal, regular or standard working hours extending beyond 11:00 p.m.
- (18) Bench signs.
- (19) Flashing signs.
- (20) Tethered inflatable signs, either on-site or off-site, except as permitted in section 2-13.3-32(b)(5) of this article as a temporary sign.
- (21) Portable signs, except as permitted in section 2-13.3-32(b)(7) of this article as a temporary sign.

- (22) Off-site signs.
 - (23) Roof signs.
 - (24) Revolving signs.
- (b) *Exempt signs.* Except as otherwise provided, the following on-site signs are exempt from the provisions of this article and may be erected as follows after securing a no-charge permit, subject, however, to meeting all other applicable codes and regulations:
- (1) One (1) professional nameplate for each premises. Each professional nameplate shall not exceed two (2) square feet in area.
 - (2) One (1) occupational sign for each premises, denoting only the name, street, number and business of an occupant in a commercial building or public institutional building. Each occupational sign shall not exceed six (6) square feet in area.
 - (3) One (1) bulletin board and identification sign per street frontage for public, charitable, educational or religious institutions located on the premises of said institutions and not exceeding thirty-two (32) square feet in area, and fifteen (15) feet in height and not less than eight (8) feet to any property line where said institution is located in a residential district.
 - (4) Legal notices and official instruments.
 - (5) Flags or insignia of a governmental, business, religious, charitable, or fraternal organization, provided only one (1) of each type flag or insignia shall be displayed from one (1) staff per legally occupied lot at a height not to exceed sixty (60) feet from the ground surface to which it is mounted, and not to exceed the over all height of the structure located on that lot by more than ten (10) feet. The flag or insignia shall not exceed in its longest dimension one-fourth ($\frac{1}{4}$) the vertical height of the staff to which it is attached and in no case shall it exceed one hundred fifty (150) square feet in area.
 - (6) Decorative flags and bunting for a public wide celebration, conventions, and commemorations when specifically authorized by Dougherty County Commission for a prescribed period of time.
 - (7) Holiday lights and decorations.
 - (8) Integral decorative or architectural features of buildings and structures.
 - (9) Memorial signs or tablets, names of buildings and data of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials.
 - (10) Nonadvertising directional signs or symbols (e.g., entrance, exit, caution, slow, no trespassing) located on and pertaining to a parcel of private property, not to exceed two (2) square feet in area.
 - (11) Identification signs at the entrance drive of residences, estates, farms, ranches, and plantations, which do not exceed two (2) square feet in area.
 - (12) One (1) nonilluminated, double-faced, real estate sign per street frontage not exceeding in face area:
 - a. In all residential zoning districts:
 - 1. Four and one-half ($4\frac{1}{2}$) square feet where the property being advertised has a frontage of less than five hundred (500) lineal feet.
 - 2. Sixteen (16) square feet where the property being advertised has a frontage of five hundred (500) lineal feet or more.
 - b. In all other districts, sixteen (16) square feet where the property or structure being advertised has a frontage of less than two hundred (200) lineal feet.
 - c. In all other districts, thirty-two (32) square feet where the property or structure being advertised has a frontage of two hundred (200) lineal feet or more.

Multiple-listing strips and sold signs may be allowed when attached to a real estate sign. Signs shall be removed when ownership has changed or the property is no longer for sale, rent, or lease. Open for inspection signs not exceeding four and one-half (4½) square feet in area may be allowed on property that is open for inspection.

- (13) One (1) construction sign per street frontage located on property where building is actually in progress under a current building permit. This shall be a ground sign not to exceed thirty-two (32) square feet and may include the names of persons and firms performing services or labor, or supplying materials to the premises. Such sign must be removed before a certificate of occupancy for any building or structure on the premises is issued.
 - (14) Political signs provided as follows:
 - a. The sign shall not be displayed earlier than sixty (60) days prior to the primary election, general election or referendum it concerns.
 - b. The sign must be removed no later than seven (7) days following the date of the primary election, general election or referendum it concerns. The owner of the property on which the sign is located and the candidate will be responsible for removing the sign; provided, however, that a property owner shall have no responsibility where the sign has been placed on his property without his consent.
 - c. The sign shall not be lighted, either directly or indirectly.
 - d. The sign shall be located entirely on private property. It shall not be located, in whole or in part, on any public lands or public right-of-way and shall not be located on any trees, rocks or like objects.
 - e. The number of signs displayed shall be restricted to one (1) sign per premises per candidate, or per referendum.
 - f. Political signs shall not exceed six (6) square feet in area in residential districts. In all other zoning districts, political signs shall not exceed sixteen (16) square feet.
 - g. The building official shall, without notice, immediately remove or cause to be removed any and all political signs in violation of paragraph d. of this subsection. The removal will be at the expense of the candidate.
 - (15) Window signs which identify or advertise activities, services, goods, or products available within the building, so long as the business or establishment has normal, regular or standard working hours not extending beyond 11:00 p.m.
 - (16) Signs incorporated on machinery or equipment at the manufacturer's or distributor's level, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps.
 - (17) One (1) sign per premises displaying only noncommercial messages shall be allowed in all districts, including residential, where a section 2-13.3-32, on-site sign is not located. Said signs shall not exceed six (6) square feet in area, or five (5) feet in height.
- (c) *General requirements.*
- (1) *Vertical clearance.* Signs extending or hanging over any private sidewalk or pedestrian way shall not be less than nine (9) feet above the surface of such way. Signs extending or hanging over any private vehicular way shall not be less than fifteen (15) feet above the surface of such way.
 - (2) *Obstruction to vision at street intersections.* No sign shall be erected or maintained on any lot, which will obstruct the view of the driver of a vehicle approaching a street intersection. In the case of corner lots, this shall also mean that there shall be provided an unobstructed triangular area formed by the street right-of-way lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines.

- (3) *Distance from residential district.* Signs on properties in commercial or industrial districts, which abut a residential district, shall not be erected closer than fifteen (15) feet to any residential district boundary line.
 - (4) *Protection of residential properties from glare or reflection of light.* Illuminated signs shall be defused or indirect to prevent direct rays of light from shining into adjoining residential districts.
- (d) *Signs located temporarily.* The county administrator shall have authority to authorize on a temporary basis the utilization of off-site signs and on-site signs not otherwise authorized herein based on the following criteria:
- (1) Such signs shall be of limited duration, the length of time not being in excess of the time reasonably needed to accomplish the purpose.
 - (2) The circumstances reasonably require the utilization of such sign in connection with an activity of temporary duration.
 - (3) The county administrator shall prescribe type of sign, and such terms and conditions as shall be necessary to protect the public health and safety, and to protect the environmental and aesthetical concerns of the community.

(Res. No. 98-012, § 11, 4-13-98; Res. No. 02-007, § I, 1-23-2002)

Sec. 2-13.3-32. - Sign standards for on-site signs.

Unless otherwise specified, the following standards shall apply:

- (a) *Permanent signs:*
 - (1) Ground signs, wall signs, mansard signs, marquee signs, canopy signs and projecting signs, except where otherwise provided, shall be allowed subject to the following limitations:
 - a. Zoning districts where allowed. Except where otherwise specifically provided, these signs shall be allowed only in zoning districts other than residential districts. (See section 2-13.3-31(b)(17) relating to certain signs in residential districts.)
 - b. Aggregate surface area of all signs shall not exceed two (2) square feet of area for each foot of building frontage occupied by the business displaying signs, or one (1) square foot of area for each foot of frontage of property occupied by the building whichever is greater.
 - c. Maximum aggregate surface area of all signs:
 - 1. Within the AG, C-4, C-5, and C-6 zoning district, on arterial streets, thirty-two (32) square feet and on collector streets and all other streets, ten (10) square feet.
 - 2. Within the C-1, C-2, C-3, C-7 or C-8 zoning districts, one hundred (100) square feet.
 - 3. Within the M-1 and M-2 zoning districts, two hundred (200) square feet.
 - d. Signs in multiple-occupancy buildings. Where a single building or complex of buildings contains two (2) or more separate activities or establishments, the individual establishments located in such multiple-occupancy buildings shall be permitted wall signs and wall sign area as though each were located in an individual building with individual street frontage. Such multiple-occupancy buildings shall be permitted one (1) ground sign with surface area not to exceed one (1) square foot per foot of property frontage of the building or two (2) square feet per foot of building frontage, whichever is greater, with a maximum of one hundred and fifty (150) square feet.
 - e. Maximum number of signs. Only one (1) ground sign and one (1) wall, mansard, marquee, canopy, or projecting sign shall be allowed for each premises; except that on corner and double frontage lots fronting on either a collector or arterial street, two (2) ground signs and two (2) wall, mansard, marquee, or projecting signs are allowed provided that premises with

more than one (1) street frontage may utilize up to the maximum sign surface area allowed for each frontage, but no transfers of allowable area may be made from one frontage to another. Where the property owner cannot use a ground sign, the property owner may have two (2) of any one (1) or combination of the other signs described.

- f. Special maximum surface area requirements for wall signs and mansard signs: Where a wall sign or a mansard sign is the only type of sign used, the maximum surface area may be determined by the following table:

Maximum distance from the sign to the right-of-way line of the abutting street	Maximum surface area determined by (a)(1)b. may be multiplied by
Less than 25 feet	1
At least 25 feet but less than 100 feet	2
At least 100 feet but less than 399 feet	4
At least 400 feet or over	5

Provided that the maximum surface area allowed by using this table shall not exceed three hundred (300) square feet.

- g. Ground signs, maximum height:
1. Within the C-5 zoning district, fifteen (15) feet on arterial streets and eight (8) feet on collector and all other streets.
 2. Arterial street location, twenty (20) feet.
 3. All other locations where allowed, fifteen (15) feet.
- h. Wall signs may not project more than twelve (12) inches from the building wall to which they are attached.
- i. Mansard signs. Unless otherwise specified, the mansard roof portion of a structure may be used for the mounting of a sign, provided such sign shall not extend above the highest point of the mansard roof line upon which the sign is mounted.
- j. Marquee signs and canopy signs. Signs or sign structures located on a marquee or canopy shall be affixed flat to the surface and shall not be greater than two (2) feet in vertical dimension above the marquee and shall not extend horizontally beyond the marquee or canopy. An identification sign may extend vertically below the marquee or canopy, but may not exceed the dimensions of one (1) foot by six (6) feet, nor exceed the width of the marquee or canopy, whichever is less.
- k. Projecting signs. All projecting signs shall be subject to the following limitations:
1. Projection limitations: Six (6) feet beyond the surface of the portion of the building to which it is attached or designed.
 2. Surface area and height limitations:

Building Size (stories)	Area Limits (square feet)	Maximum Height of Signs Above Ground (feet)
1	24	15
2	24	15
3	32	20
4	42	20
5	48	25
6 and over	60	30

- (2) Shopping center signs. For each shopping center, signs bearing the name and identification of the shopping center and of the establishments on the premises shall be allowed subject to the following requirements:
- a. Signs for the identification of shopping centers and shopping center establishments:
 1. Maximum number of signs. One (1) ground sign for the first five hundred (500) lineal feet of frontage adjacent to a street and one (1) additional ground sign for each additional five hundred (500) lineal feet of frontage or major fraction thereof.
 2. Maximum surface area for each shopping center ground sign shall be based on the gross leasable area (GLA) within the shopping center as follows:
 - (i) Neighborhood shopping center, at least twenty-five thousand (25,000) but less than one hundred thousand (100,000) square feet GLA: One hundred seventy-five (175) square feet.
 - (ii) Community shopping center, at least one hundred thousand (100,000) but less than three hundred thousand (300,000) square feet GLA: Two hundred (200) square feet.
 - (iii) Regional shopping center, at least three hundred thousand (300,000) square feet GLA or more: Three hundred (300) square feet.
 - b. Signs for establishments in the shopping center. Each establishment located within the shopping center shall be allowed one (1) sign not to exceed two and one-half (2½) square feet of surface area for each lineal foot of store frontage with a maximum surface area of two hundred (200) square feet; and one (1) hanging marquee sign not to exceed the dimensions of one (1) foot by six (6) feet not to exceed the width of the canopy, whichever is less.
 - c. Shopping center identification signs shall not be located on the rear or sides of a shopping center when such display would orient the sign to a residential neighborhood.
- (3) Subdivision signs. One (1) permanent subdivision sign may be located at each entrance to a subdivision provided the following requirements are met:

- a. Such sign shall contain only the name of the subdivision and motto, if any, and shall not contain promotional or sales material.
 - b. The sign shall not create a physical or visual hazard for motorists entering or leaving the subdivision.
 - c. An acceptable legal entity shall be provided to assure the maintenance of the subdivision sign.
 - d. The sign shall not exceed ten (10) feet in height.
 - e. The sign shall not exceed forty (40) square feet in area.
- (4) Multiple-family residential development and mobile home park signs. One (1) wall or ground sign may be located on the site of a multiple-family residential development or mobile home park provided that it is not more than two (2) square feet in area for each unit up to sixteen (16) for maximum sign area of thirty-two (32) square feet. Such sign shall be not more than eight (8) feet in height. Where a multiple-family residential development or mobile home park is located on more than one (1) street, one (1) sign may be displayed on each street.
- (5) Automobile dealership signs. The provisions of this section shall apply in addition to the following provisions:
- a. Secondary ground signs shall be permitted only if used for preowned automobiles and/or if two (2) or more automotive product lines (automobile makes) are offered for sale on the premises. Not more than two (2) secondary ground signs shall be permitted; one (1) denoting the sale of used or preowned automobiles and one (1) denoting the sale of the second and additional automotive product lines (automotive makes).
 - b. Secondary ground signs shall not exceed seventy-five (75) percent of the sign face of the conforming primary ground sign.
- (6) Gasoline station signs. The provisions of this section shall apply in addition to the following provisions:
- a. An additional thirty-two (32) square feet of sign surface area shall be permitted on the ground sign for the purpose of advertising gasoline prices.
 - b. An additional two (2) canopy signs shall be permitted, not to exceed (8) square feet each or ten (10) percent of the size of the canopy where located, whichever is less.
- (7) Permanent wall signs and mansard signs. The provisions of this section shall apply in addition to the following provisions:
- a. In addition to sign surface area allowed under subsection (a)(1)a., b. and c., the permanent wall or mansard sign is allowed an additional sign surface area not to exceed ten (10) percent of the area of the building wall to which it is to be affixed.
 - b. This section applies within the C-1, C-2, and C-3, zoning districts.
- (8) Upon obtaining a statement of necessity from Dougherty County Traffic Engineer's office, the building official may, for safety, reasons, permit the sign up to a height of twenty-five (25) feet on arterial street locations in C-1, C-2, C-3, C-8, M-1, and M-2 zoning districts.
- (b) *Temporary signs.* Unless otherwise specified, the following sign regulations shall apply generally throughout Dougherty County:
- (1) *Development signs.* Signs designed and intended to advertise and promote the sale or rental or lease of lots and/or structures in any subdivision shall be permitted as follows: Provided one (1) sign not exceeding thirty-two (32) square feet in area shall be permitted for the first twenty (20) building sites, plus one (1) additional sign for each additional fifty (50) building sites or parts thereof not to exceed one (1) such sign for each street entrance into the subject subdivision. Such signs shall be permitted only within the confines of the subdivision. Permits for such development signs shall be issued for a period of one (1) year only, subject to renewal on application. The

building official may renew such permits only after determination that the promotion of the subdivision is active.

- (2) *Temporary subdivision signs.* Temporary subdivision signs shall be allowed to identify subdivision where an active building and development program is underway. Such signs shall be on a non-illuminated wall or ground mounted and shall be allowed for a maximum legal effective period of not more than two (2) years. Such signs shall be removed when the permit becomes void, or when seventy-five (75) percent of the lots in the subdivision have been conveyed or had principal buildings erected on them. Subdivision development signs shall not exceed thirty-two (32) square feet in sign area. Such signs shall be set back not less than fifteen (15) feet from any side property line and shall be no greater than ten (10) feet in height. In such cases where the subdivision abuts more than one (1) street, one (1) such temporary subdivision sign may be erected on each street frontage.
- (3) *Temporary signs for public or semipublic events or functions.* A nonilluminated temporary sign announcing any public, charitable, educational or religious event, issue or function any be allowed on the site of the sponsoring public, charitable, educational or religious institution and on the site of the event, issue or function itself. Signs shall not exceed sixty-four (64) square feet in area. Signs shall not be utilized for more than sixty (60) days.
- (4) *Temporary signs for new businesses.* A new business, or a business in a new location with no permanent signs may obtain a permit for a temporary sign, of up to sixty-four (64) square feet in sign area or the maximum permitted sign area for any one (1) ground mounted permanent sign for such occupant, whichever is less, for a period of not more than sixty (60) days or until installation of permanent signs, whichever shall occur first. A temporary ground sign shall not exceed ten (10) feet in height.
- (5) *Banners, flying paraphernalia, and inflatable signs.* A permit may be granted for the use of on-site banners, flying paraphernalia, and tethered inflatable signs for no more than one (1) time every six (6) months for a period not to exceed ten (10) consecutive days.
- (6) *Miscellaneous temporary signs.* Although the use of pennants, flags, banners, whirlers or similar devices are prohibited anywhere in Dougherty County, a singular exception to such prohibition shall be that such devices may be used in conjunction with the opening of a new place of business, provided that such devices shall not be installed prior to opening day nor shall remain longer than thirty (30) calendar days after opening day.
- (7) *Portable signs.* A permit may be granted for the erection of one (1) portable sign on the premises provided that the portable sign shall:
 - a. Be allowed for not more than one (1) time every six (6) months for a period not to exceed ten (10) consecutive days;
 - b. Not exceed forty (40) square feet in sign surface area;
 - c. Not utilize flashing illumination;
 - d. Be set back a minimum of ten (10) feet from a right-of-way line;
 - e. Not be allowed to be placed in a parking space that is required to meet the minimum parking requirements of Dougherty County.
- (8) *Penalties.*
 - a. It shall be unlawful for any person or entity to utilize, and for the owner of or the person or entity in control of any premises to permit the use of any temporary sign upon such premises pursuant to the provisions of this resolution without first obtaining a permit from Dougherty County allowing such use and specifying the period during which such use is permitted.
 - b. Any person or entity utilizing, and any person or entity permitting the use on premises which it controls, of any temporary sign without having first obtained the permit required in this resolution or for a period not covered by such a permit, shall be guilty of an offense

punishable as provided in sections 2-13.3-33 and 2-13.3-34 of this article. Each day said violation continues shall be punishable as a separate offense.

(Res. No. 98-012, § 12, 4-13-98)

Sec. 2-13.3-33. - Enforcement.

- (a) This article shall be enforced under O.C.G.A. section 15-10-60 through section 15-10-66, as amended, said section being entitled "Violation of ordinances of counties and state authorities."
- (b) The building official and his authorized inspectors, the members of the Dougherty County Police Department and the members of the Dougherty County Sheriff's Department are authorized to issue a citation against any person violating this article.
- (c) Violations of this article shall be tried upon citations as provided in O.C.G.A. section 15-10-63, and may be tried with or without a prosecuting attorney as well as upon accusation by the county attorney. The county attorney shall serve as prosecuting attorney.
- (d) Nothing in this article shall prevent any enforcing officer from bringing any civil action for injunction, mandamus or other proceedings to present, correct, or abate any violation of this article. No sanction, penalty or remedy prescribed herein shall be considered exclusive or any other remedy, but shall be available in addition to any other sanction, penalty or remedy by law.
- (e) Each violation of this article shall constitute a separate offense.

(Res. No. 98-012, § 13, 4-13-98)

Sec. 2-13.3-34. - Penalties.

Any person violating this article or any provision hereof, upon conviction, shall be punished by a fine of not less than one hundred dollars (\$100.00), and not more than one thousand dollars (\$1,000.00).

(Res. No. 98-012, § 14, 4-13-98)

Sec. 2-13.3-35. - Separability.

In accordance with the following it is hereby declared that the several provisions of this article are separable:

- (a) If any court of competent jurisdiction determines any provision of this article to be invalid, such determination shall not affect any other provision of this article, not specifically included in the court's judgement order.
- (b) If any court of competent jurisdiction determines any provision of this article to be invalid as applied to any particular sign, such determination shall not affect the application of such provision to any other sign not specifically included in the court's judgement order.

(Res. No. 98-012, § 15, 4-13-98)

Sec. 2-13.3-36. - Interpretation.

In their interpretation and application, the provisions of this article shall be held to be the minimum requirements necessary for the promotion and protection of the public health, safety, comfort, morals and convenience, in accordance with this document's stated purpose.

(Res. No. 98-012, § 16, 4-13-98)