

**AN ORDINANCE TO AMEND CHAPTER 66, SIGNS, OF THE PEACHTREE CITY CODE OF ORDINANCES IN ITS ENTIRETY PROVIDING FOR DEFINITIONS; PROVIDING FOR PERMITS AND PROCEDURES; PROVIDING FOR REGULATIONS OF SIGNS BY LAND USE; PROVIDING FOR NON-CONFORMING SIGNS; PROVIDING FOR ENFORCEMENT AND SIGN REMOVAL PROCEDURES, AND FOR OTHER PURPOSES.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Chapter 66, Signs, of the Code of Ordinances be repealed in its entirety and amended as follows:

**DIVISION 1. GENERAL**

**Section 66-1. Purpose**

*Intent of article and declaration of public policy.* The City of Peachtree City finds that signs are a proper use of private property, are a means of personal free expression and a necessary component of a commercial environment. As such, signs are entitled to the protection of the law. In the absence of regulation, however, the number of such signs tends to proliferate, with property owners desiring ever-increasing numbers and sizes of signs, leading to cluttered and aesthetically blighted thoroughfares. In addition, the competition among competing sign owners for visibility of their signs contributes to safety hazards for both vehicles and pedestrians and undermines the sign owners' original purpose of presenting a clear message of its idea or identification of its premises.

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.

**Section 66-2. 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 Peachtree City, the general police powers of Peachtree City and other authority provided by federal, state or local laws applicable hereto.

### **Section 66-3. Definitions.**

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

*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.

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

*Building Official:* The Building Official of the City of Peachtree City.

*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.

*City Planner:* The City Planner of the City of Peachtree City.

*Commercial message:* Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity

*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:* Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of government, political subdivision, or other entity

*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.

*Lot:* See definition of “zoned lot” herein.

*Non-commercial message:* Any sign wording, logo or other representation promoting an activity or idea other than a commercial activity or idea.

*Pennant:* Any lightweight plastic, fabric, or material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind as a means of attracting attention.

*Person:* Any association, company, corporation, firm, organization, or partnership, singular or plural, of any kind

*Principal building:* A building in which the primary use of the lot on which the building is located is conducted.

*Setback:* The distance from the property line to the nearest part of the applicable building, structure, or sign, measured from the property line to that portion of the building, statutory or sign which is most proximate to such line.

*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. Individual signs shall be defined as follows:

*A-frame 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 which is not permanently affixed to the ground.

*Animated sign:* Any sign or attention-getting device, including spinners, which involves motion or rotation of any part by any means, or which is illuminated by flashing, intermittent, or color changing light or lighting, or which uses movement or change of lighting to depict action or create a special effect or scene.

*Awning sign:* A sign imposed or painted upon an awning.

*Banner sign:* Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

*Building sign:* A sign that in any manner is fastened to, projects from, or is placed upon the exterior wall, window or door of a building.

*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.

*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, and shall not contain any logos, trademarks, or other commercial message.

*Directory sign:* A sign used to identify the location of structures or a single structure.

*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.

*Incidental sign:* A sign that provides information that is secondary to the use of the zoned lot on which it is located, such as “no parking”, “entrance”, “loading only”, “telephone”, and other similar directives. Any commercial message on such a sign must be less than six square inches (6”) in area.

*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 (prohibited).

*Marquee sign:* Any permanent, roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

*Monument sign:* Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure. A monument sign may include individual letters, numbers, figures mounted on a surface composed of stone, brick or other permanent structures. The supporting structure must rest on the ground

*Portable sign:* Any sign not permanently attached to the ground or other permanent structure, or sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal, day-to-day operations of the business, then the vehicle shall be parked in a designated parking space at the location of the business and furthest from the right-of-way at the location of the business.

*Projecting sign:* A sign affixed to a wall and extending more than four inches from the surface of such wall, usually perpendicular to the wall surface

*Residential sign:* Any sign located in a district zoned for residential uses that contains no commercial message.

*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 lot 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 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.

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

*Spectacular sign or device:* Spectacular sign or device includes, but is not limited to:

- (a) 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;
- (b) any advertising display, sign or copy that is animated;
- (c) balloons, air and gas filled devices;
- (d) streamers;
- (e) other attention-getting devices.

*Street:* A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles.

*Street frontage:* The length of any one property line of a zoned lot, which property line abuts a legally accessible street right-of-way. For the purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under the zoning definition for yards. *Subdivision sign:* A sign located at the main entrances for identifying the name of the subdivision.

*Suspended sign:* A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

*Temporary sign:* Any sign that is used only temporarily and is not permanently mounted or affixed to the ground.

*Window:* An opening made in the wall of a building to admit light and air, and/or to furnish a view; provided, however, that as such term is used herein, the term “window” shall not include the framework for such opening, but shall only include the glass or translucent portion of such opening.

*Wall sign:* A sign that is fastened directly to the exterior wall of a building and extends from the surface of the wall no more than 18 inches.

*Window sign:* Any type of sign that is located on the interior of a business premises and is either attached to or is located within 48” of an exterior window, and is intended primarily to be viewed from the exterior of the premises. Glass doors are to be considered windows for the purposes of administration of this Article. Merchandise located within a window shall not be considered a window sign, as long as there are no commercial messages attached to or associated with the display of merchandise.

*Zoned lot:* A parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage, and use, and that can provide such yards and other open spaces as required by the zoning regulations

#### **Section 66-4. Applicability.**

A sign may be erected, placed, established, painted, created, or maintained in the City only in conformance with the standards, procedures, exemptions, and other requirements of this ordinance.

The effect of this ordinance as more specifically set forth herein, is:

- (1) To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this ordinance;
- (2) To allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this ordinance, but without a requirement for permits;
- (3) To provide for temporary signs with and without commercial messages in limited circumstances;
- (4) To regulate signs so as to prevent the degradation of the aesthetic attractiveness of the natural and manmade attributes of the community and thereby undermine the economic value of tourism, visitation, and permanent economic growth;
- (5) To prevent the proliferation of signs which may result in roadside clutter that would impede the flow of information from businesses to consumers thereby harming the economic health of the community, and that would impede the flow of information from traffic signs and signal and therefore create hazards to drivers and pedestrians;

- (6) To lessen hazardous conditions, confusion and visual clutter caused by the proliferation, improper placement, illumination and excessive height and size of signs that compete for the attention of pedestrians and vehicular traffic, and impede vision of traffic, traffic control signs and devices;
- (7) To prohibit all signs not expressly permitted by this Ordinance; and
- (8) To provide for the enforcement of the provisions of this Ordinance.

#### **Section 66-5. Prohibited signs.**

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 resemble official traffic signs.
- (2) Signs with lights blinking and / or 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, located within the public street right-of-way or within five (5) feet of the edge of 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, sidewalk or curb-type signs, balloons, streamers, portable display signs, air or gas filled figures and other similar temporary signs, other than as specifically authorized in this Chapter.
- (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.
- (11) Portable signs, other than as specifically authorized by this Chapter.
- (12) Search lights or similar devices.
- (13) Benches, vending machines, trash cans, or other outdoor devices which display a commercial message.
- (14) Animated Signs.

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 66-6. Signs exempt from the regulations of this ordinance.**

The following signs shall be exempt from regulation under this ordinance:

- (1) Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
- (2) Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the zoned lot on which such sign is located;
- (3) Works of art that do not include a commercial message;
- (4) Holiday lights and decorations with no commercial message;
- (5) Traffic control signs on private property, such as Stop, Yield, and similar signs, which meet Georgia Department of Transportation standards and which contain no commercial message of any sort;
- (6) Address numerals that are affixed to a single family residential structure on the property, or to a mailbox on the property, that are no more than six inches (6") in height, or Address numerals that are affixed to a multi-family, commercial, office, or residential structure on the property, or to a mailbox on the property, that are no more than twelve inches (12") in height; and
- (7) Signs evidencing the presence of a security, or alarm system, on the property that are no more than one (1) square foot in area.

## **DIVISION 2. PERMITS AND PROCEDURES**

### **Section 66-7. Permits and 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 City Planner. 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. A permit is not required for a change limited solely to the copy of an existing changeable copy sign, for example, a change in the normal price or products offered on the premises.
- (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 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 lot upon which the sign is to be erected.

(8) The size of the lot 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 owner or sign contractor shall secure a permit for the sign structure and the 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 the City Council.
- (e) Upon the filing of an application for a permit and the payment of all necessary fees, the City Planner 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 City Planner shall issue a permit no later than thirty (30) days from receipt of the completed application.
- (f) *Denial of permit.* 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 false material statements. The City may deny permits for master sign programs, or amendments to master sign programs, based upon the architectural appearance of the program; such review, however, shall not include the content of the message(s) conveyed in the master sign program. 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 City Planner shall revoke the permit. Should the City Planner 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) 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) 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.

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 proposed 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.

- (g) *Appeals.* An individual whose permit application has been denied or a permittee whose permit has been revoked may appeal the decision to the City Council, provided such appellant files a written notice of appeal with the City Clerk within ten (10) business days of the City Planner's notice. Such appeal shall be considered by the City Council at the next City Council meeting held after the City's receipt of the written notice of appeal, provided that 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 City Council meeting shall be heard at the next available meeting more than five (5) days following receipt of appeal. The City Council shall issue a written decision to the applicant no later than thirty (30) days following the close of the appeal hearing. Decisions of the City Council to affirm the decision of the City Planner or to overrule the decision of the City Planner 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 Peachtree City.

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 City Council, such applicant or permit holder may appeal such decision via a Petition for Writ of Certiorari to the Superior Court as provided by law.

- (h) *Variations.* Variations 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

- (3) Placement of the sign elsewhere on the lot would not remedy the visual obstruction;
- (4) Such visibility obstruction was not created by the owner of the subject property; and
- (5) The variance proposed would not create a safety hazard to vehicular traffic or pedestrians as determined by the City Engineer.

Variations shall be limited to the minimum relief necessary to overcome the hardship. No variations shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist.

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

- (i) *Double permit fees.* Any person commencing work on a sign before securing the necessary permit from the City Planner shall be subject to double permit fees under the permit fee schedule.

#### **Section 66-8. Expiration of sign permit.**

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 the permit was issued. 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 City Planner 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 66-9. Display of permit.**

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

#### **Section 66-10. Compliance with technical codes and zoning.**

All signs hereafter erected, replaced, reconstructed, altered, relocated or modified within the City shall conform with the requirements of the City's Building Code in effect on the date the application for a sign permit is submitted, the requirements of the National Electrical Code, and the requirements of all other applicable codes 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.

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.

### **DIVISION 3. REGULATION OF SIGNS BY LAND USE**

#### **Section 66-11. Scope.**

The sign standards by district in this section apply to all zoning districts within the city. The districts are defined by the zoning ordinance, Appendix A to this Code, and referenced on the official Zoning Map of the City of Peachtree City.

#### **Section 66-12. Public use, all districts.**

A Church, public school, community center, or other public institutional building shall be permitted one monument sign not exceeding thirty two (32) square feet in area and shall extend no more than five (5) feet in height above the ground as described herein.

#### **Section 66-13. Single-family residential (R1 – R43, ER and VR)**

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:

- (a) *Residential signs.* Such property may contain not more than one residential sign, the area of which may be not greater than sixteen (16) square feet. Any monument sign shall be five (5) feet in height or shorter and shall be setback so that such sign is no closer than five feet (5') from the curb or edge of pavement on streets with no curbing. Signs shall not project over the property lines.
- (b) *Permanent subdivision signs.* In addition to any other signs authorized by this section, one single faced-sign, one double-faced sign, or two single-faced signs may be permitted at the entrance to any residential subdivision to identify the name of the subdivision, which shall not exceed twenty-four (24) square feet each.
- (c) Any sign permitted under Section 66-17.

#### **Section 66-14. Multi-family residential.**

- (a) In multifamily residential districts, one directory sign per building shall be required, no larger than four (4) square feet. Such sign shall indicate only the

name, number, and/ or address of the individual building. Each such sign shall be reflective, and shall be placed so that it is visible from the interior street or access drive adjacent to the structure.

- (b) One subdivision sign shall be permitted at each major entry, no larger than twenty-four (24) square feet.
- (c) Any unit in which a sales or rental office is allowed shall be permitted one (1) building sign not exceeding four (4) square feet.
- (d) Window signs, provided that no more than one (1) window per unit or residence shall be used to display window signs, and further provided that no commercial message is displayed on such window signs.
- (e) Any sign permitted under Section 66-17.

#### **Section 66-15. Retail, commercial, office or industrial.**

For properties which are zoned for any retail, 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:

- (a) *Monument signs.* Such property may contain one or more monument signs in accordance with the following:
  - (1) Except for regulatory signs approved and erected by appropriate federal, state or local authorities, no signs shall be constructed, erected or maintained closer than two (2) feet to the edge of a public right-of-way as measured from the closest point of the sign structure as it relates to the legally defined boundary of such right-of-way. If the building to which the sign relates is less than ten (10) feet to the edge of a public right-of-way, the setback shall be not less than forty percent (40%) of the distance from the public right-of-way to the building. No free standing or projecting sign shall be erected within five (5) feet of the nearest point of the public right-of-way at the intersection of two or more streets.
  - (2) Only one Monument sign per platted lot shall be allowed along the right-of-way, provided that for business premises fronting on more than one street, one Monument sign shall be allowed along no more than two (2) right-of-way frontages, which signs shall be separated a minimum of two hundred (200) feet.
  - (3) All Monument signs shall be surrounding by protective concrete curbing and shall be placed in a landscaped area. No Monument 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.
  - (4) The maximum sign area of any Monument sign, inclusive of any border and trim, but excluding the base, apron, supports and other structural members shall be:

(A) Monument signs on lots zoned commercial or industrial, including shared signs, on lots with more than one (1) occupant, fifty (50) square feet in sign area.

(B) Monument signs on lots zoned commercial or industrial with one (1) occupant, thirty-five (35) square feet in sign area.

(C) Monument signs on lots zoned OI, Office Institutional, thirty-five (35) square feet in sign area.

(D) Monument signs for single business premises, thirty-five (35) square feet in sign area.

(c) *Exceptions.* Exceptions to the size restrictions for shared signs may be made by the City Council 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 ½) 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 ½) square feet.

(d) *Drive thru menu boards.* In addition to any other Monument 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 Monument 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 five (5) feet in height. The location of the menu board on the lot shall be approved as a part of the site plan review process.

(e) *Building signs* (retail, commercial and office zoning districts):

(1) For single-tenant and multi-tenant occupancy with less than 100 linear feet building frontage, one and one-half (1 ½) square feet per linear foot to building frontage, to a maximum area of one hundred (100) square feet.

(2) For multi-tenant (commercial shopping center with one hundred (100) linear feet building frontage or greater) occupancy, each tenant, two and one-half (2 ½) square feet per linear foot of building frontage, to a maximum area of one hundred fifty (150) square feet per tenant.

(3) For multi-tenant office OI occupancy, each building may have one-half (½) square foot per lineal foot of building frontage to a maximum of thirty (30) square feet as a building identification, or a Monument sign as defined herein. Each tenant in a multi-tenant office building may have one (1) wall sign not to exceed ten square feet. In a multi-building complex, each building may have an identification sign not exceeding five (5) square feet.

(f) *Building signs* (industrial zoning districts):

(1) For single-tenant occupancy, one-half (½) square foot per linear foot of building frontage, to a maximum area of fifty (50) square feet.

- (2) For multi-tenant occupancy, each tenant shall be allowed one (1) wall sign not to exceed thirty (30) square feet. In a multi-building complex, each building may have an identification sign not exceeding five (5) square feet.
  - (3) For single-tenant or multi-tenant occupancy, with more than 30, 000 square feet of floor space, one (1) square foot per linear foot of building frontage, to a maximum area of one hundred fifty (150) feet.
  - (4) Signs may be flat against the wall or pinned away from the wall, but in no case project more than fifteen (15) inches from the wall surface.
- (g) For any building that is primarily used for retail and service commercial, office/institutional or industrial purposes, no part of a wall or building sign shall extend above the eave line or the top of a parapet on the wall to which it is attached.
  - (h) For any building that is primarily used for retail and service commercial purposes, no part of a wall sign shall be located more than twenty-five (25) feet above the existing level of the ground. In addition, for any retail or service commercial buildings, no sign shall be installed on any wall over the level of the bottom of any second story window on that wall unless the building is a multi-tenant structure where tenants have direct access from their second floor space to the outside. This direct access must include outside walkways and stairways properly designed for public use.
  - (i) Signs may not cover or interrupt architectural features of a structure.
  - (j) Multi-frontage sites are calculated with one major frontage only.
  - (k) Multi-tenant building directories are allowed if not in excess of six (6) square feet in width, two-inch maximum size letters, and must be located within ten (10) feet of the structure(s) on the lot.
  - (l) *Directional signs.* In addition to any other signs authorized herein, 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.
  - (m) *Master sign plan.* All multiple-occupancy development complexes, such as shopping centers or planned industrial parks, shall submit to the City Planner a master sign plan prior to the issuance of new sign permits, which plan must comply with all provisions of this Chapter.

The master sign plan shall establish standards and criteria for all signs in the complex, which require permits and shall address, at a minimum, the following:

- (1) Proposed sign locations.
- (2) Materials and colors.
- (3) Type of illumination, including fixture specifications and wattage.

- (4) Design of free standing and wall sign structures.
- (5) Size.
- (6) Quantity.
- (7) Uniform standards for non-business signage, including directional and informational signs.
- (8) Identification of delivery or rear access door by name and suite number.

All applications for sign permits for signage within a multiple-occupancy development complex shall comply with the master sign plan.

Any amendments to a master sign plan must be approved by the City Planner and the property owner(s) within the development complex before such amendment will become effective. Approval by the City Planner shall apply only to the architectural elements, uniformity of size, color and placement of the master sign program. The review by the City Planner shall not address the content of the master sign program.

It shall be the responsibility of the owner or leasing agent of the property to provide the occupant with a copy of the approved master sign plan.

The signing for new businesses within existing projects shall comply with the provisions of this chapter.

- (n) *Banners.* Banners shall be permitted in all zoning districts of the City except single-family residential zoning districts. Banners shall be permitted for no more than fourteen (14) calendar days, and the maximum size of a permitted banner shall not exceed thirty-five (35) square feet. Unless specifically permitted elsewhere in this chapter, no banner will be permitted off the premises.

Banners shall be securely attached to a building and maintain a seven (7) foot clearance between walking surface and bottom edge of the banner if placed over a walk surface. Only one banner will be permitted for a particular premises during a period of 120 days. Banners shall not be attached to the roof of the structure, or above the parapet line of the structure.

- (o) *Window signs.* Except as otherwise provided in this Chapter, window signs are allowed for each tenant within commercial zoning districts only (GC, LC, and LUC). Window signs may be installed without a permit, but they must be installed in accordance with the provisions of this chapter.

The total square footage of all window signs shall not exceed twenty five (25%) percent of the individual tenant's total window area exposed to public view, subject to the following conditions:

- (1) No more than six (6) windows shall be used to display window signs;  
and

(2) If the business premises has three (3) windows or less, no more than two (2) windows shall be used to display window signs.

(3) No more than fifty percent (50%) of an area of a window shall be used to display window signs, and no window sign shall extend from one window to another. As used in this section, the term “window” shall include only the glass portion of a window, and shall not include any frames or other non-glass portion of such window. Glass doors are to be considered windows for the purposes of administering this article.

- (p) If a lot contains a mixture of commercial and/or industrial and/or residential uses, the signage requirements for each use shall apply. For example, if a lot contains residential and commercial uses, the sign regulations for the residential uses on such lot shall be as set forth in Section 66-13 or Section 66-14, and the sign regulations for the commercial uses on such lot shall be as set forth in this Section 66-15.

### **Section 66-16. Computation of sign area.**

The following principles shall control the computation of sign area for Monument, and Wall signs:

- (a) Monument signs. The area of a monument sign 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 are not intended to contain any message or idea and are purely structural or decorative in nature.

The supports or structure upon which the sign face is located shall not be included in determining the overall size of the monument sign unless they are designed in a manner to form an integral part of the display and the surface area of the frame that is parallel to the display is no greater than one hundred percent (100%) of the area of the sign displayed, and provided that no part of the monument sign is no higher than five (5) feet.

- (b) Wall signs. The area of a wall sign 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 are not intended to contain any message or idea and are purely structural or decorative in nature. Any open space contained within the limits of the rectangle delimiting the sign face, sign face module, or sign structure shall be included in the computation of the area of such sign face, sign face module, or sign structure.
- (c) Computation of sign height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower

of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoned lot, whichever is lower.

The maximum height of monument signs shall be no greater than five (5) feet.

### **Section 66-17. Signs permitted in all districts without approval.**

In addition to any other signs permitted under this Chapter, the following signs may be erected without a sign permit, subject to the following:

- (a) *Real estate signs.* Real estate signs which indicate the sale, rental or lease of the property are permitted, provided such signs are located on the property, are at least five feet from the paved portion of any street or driveway, and are no more than five feet above ground level. Only one real estate sign per property is permitted.
  - (1) In residential zoning districts, the maximum size is six square feet, and the sign must be removed no later than seven days after closing of sale, rental or lease of the property.
  - (2) In all other zoning districts, the maximum size is 32 square feet; and the sign must be removed no later than seven days after closing of sale, rental or lease of the property.
  
- (b) *Real estate directional signs.* Real estate signs which indicate the location of a structure for sale, rental or lease, provided such signs are located at least five feet (5') from the paved portion of any street or driveway. Real estate directional signs shall be of a uniform design with standard colors and graphics. No company names shall appear on the face of the sign. A sample of the approved sign design shall be available at city hall. Real estate directional signs shall be installed pursuant to the following:
  - (1) No sign shall be allowed at any intersection with a state highway or at the intersection of any two major thoroughfares.
  - (2) A maximum of two signs (one per direction) shall be allowed at any other intersection (signs must direct from the major street onto the lesser street only). If any street intersects another street at more than one place, signs may be placed at only one of the intersections.
  - (3) A maximum of four directional signs may be located along any single collector street.

- (4) No such sign shall be more than two (2) square feet in area, nor more than four (4) feet above ground level.
- (c) *Construction signs.* Construction signs are permitted in all districts subject to the following:
- (1) Signs can be no more than five feet in height and are limited to one sign for each site. The sign may be erected after a building permit has been issued for the site and work is in progress; this sign shall be confined to the site of construction. Construction signs shall be used to identify the name of the project, architect, engineers, contractors, and other individuals or firms involved with the construction.
  - (2) In single-family residential zones, the maximum size is six square feet; and the sign must be removed no later than seven days after issuance of an occupancy permit by the city (in no case more than two years).
  - (3) The sign must be removed when the builder places property for sale or not later than seven days after the closing of the sale.
  - (4) In all other zoning districts, the maximum size is 32 square feet; and the sign must be removed no later than seven days after issuance of an occupancy permit by the city (in no case more than two years).
- (d) *Vacant or unimproved property.* Each vacant or unimproved lot shall be allowed to have one (1) monument sign, the size of which shall be limited to sixteen (16) square feet for residentially zoned property, and thirty-two (32) square feet for property zoned office, commercial, or industrial. Such signs shall not exceed five feet (5') in height. Once construction begins on any such vacant or unimproved lot, such signs shall be removed and the provisions regarding construction signs set forth above shall be applicable.
- (e) *Flags.* One (1) flag is permitted on each lot, provided that each such flag does not exceed five feet by eight feet on a lot zoned industrial, four feet by six feet on a lot zoned commercial, and three feet by five feet on a lot zoned to any other zoning classification under the Peachtree City Zoning Ordinance.
- (f) *Memorial signs or tablets.* Memorial signs or tablets, names of buildings and date of erection are permitted when cut into any masonry surface or when constructed of bronze or other incombustible material.
- (g) *Bulletin boards.* A bulletin board not over 15 square feet in area for a public, charitable or religious institution is permitted when located on the premises of such institution and located in such manner as not to interfere with the vision of motorists.
- (h) *Municipal graphics.* Traffic or other municipal street graphics such as railroad crossing signs, legal notices and such temporary emergency signs may be required by the city council.

- (i) *Utilities signs.* Signs of public utilities companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities, or of public telephones are permitted.
- (j) *Directional, informational, public service signs.* Directional, informational or public service signs erected for the convenience of the public, not identifying any commercial or public entity, and only used to identify entrances, exits, parking areas, no parking areas, restrooms, public telephones, walkways, cart paths, and similar such features are permitted. Such signs, if located on public property, shall be limited to two square feet in area except as provided herein. Such signs, if located on other than public property (or publicly controlled sign easement), shall be limited in area to one square foot for each four feet the sign is located from public property (or two square feet, whichever is greater) to a maximum of 25 square feet, and shall not exceed five feet in height. No directional, informational or public service sign exceeding two square feet in area may be placed on or attached to a building or structure. Privately owned and maintained traffic control signs or devices, placed entirely on private property, shall also be permitted, provided such signs or devices are of the same size, shape and color as the official such sign or device.
- (k) *Signs regulating use of property.* No trespassing signs or other such signs regulating the use of property such as no hunting, no fishing, etc., of no more than two square feet in area are permitted.
- (l) *Garage sale, similar type retail signs.* Garage sale signs or similar type retail signs are permitted and shall be limited to the following:
  - (1) each sign must be acquired at city hall;
  - (2) signs shall not be placed on city-owned property or within any public highway or street right-of-way within 200 feet of any intersection with State Highway Routes 54 and 74, or in any median strips;
  - (3) signs may be placed the day prior to the sale and shall be removed immediately after the sale has been completed;
  - (4) each property owner shall be limited to no more than two garage or yard sales annually.

All signs, other than those acquired at city hall, are prohibited; and any other types will be removed without notice.

- (m) Unless otherwise described in this Chapter, and in addition to other signs authorized by this Chapter, temporary signs shall be permitted regardless of the message conveyed on each temporary sign, subject to the following:
  - (1) Each temporary sign cannot exceed sixteen (16) square feet in area on residential zoned property, and cannot exceed thirty-two (32) square feet on all non-residential zoned property; and

- (2) Each temporary sign cannot exceed four (4) feet in height; and
- (3) One (1) temporary sign per lot shall be permitted; provided, however, that an unlimited number of temporary signs are allowed during a political election, between the date of close of filing for qualification of candidates or issues and final determination on each ballot candidate or issue.

**Section 66-18. Signs permitted within the public right-of-way.**

- (a) *Signs permitted.* Signs permitted within the public right-of-way shall be placed a minimum of five (5) feet from the back of curb, edge of pavement, sidewalk, multi-use path or sidewalk, if present. No signs shall be allowed in the public right-of-way, except for the following:
  - (1) *Public signs.* Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;
  - (2) *Informational signs.* Informational signs of public utility regarding its poles, lines, pipes, or facilities; and
  - (3) *Emergency signs.* Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.
- (b) *Forfeiture of signs.* Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing or maintaining such a sign the full costs of removal and disposal of such sign.

**Section 66-19. Special events permits.**

- (a) In addition to signs otherwise permitted in this Chapter, properties in commercial, office and industrial districts wishing to erect special event signs and devices including portable signs and spectacular signs and devices, may do so only by obtaining a permit under the following conditions and requirements:
  - (1) *Application.* Prior to display of a special event sign, an application for a permit shall be filed with the City Planner. 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 66-7. 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) *Size.* The maximum size allowed for the total of all window signs to be displayed under the permit shall be twenty-four (24) square feet. The maximum size allowed for the total of all special signs, including window signs, shall be seventy two (72) square feet.
  - (3) *Number of permits.* 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 seven (7) days for each permit issued. No more than one special event permit shall be issued per calendar quarter per business premises.

(4) In considering an application for a special event signs, the City Planner shall only consider the size of signs and number of permits issued, and shall not consider the content of the signs.

- (b) 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 66-20. Noncommercial message permitted on all signs.**

Any sign otherwise permitted by this ordinance may contain a noncommercial message in lieu of a commercial message, provided that such sign complies with the size, height, area, and other requirements applicable to such sign.

### **DIVISION 4. NON-CONFORMING SIGNS.**

#### **Section 66-21. Non-conforming signs.**

- (a) Signs that, on the effective date of this ordinance, were approved and legally erected under previous sign restrictions, and became or have become non-conforming with respect to the requirements of this ordinance, may continue in existence subject to the following provisions:
- (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.
- (b) In all zoning districts, signs which were:
- (1) Illegally erected or maintained with respect to prior ordinances,
  - (2) Made of paper, cloth or non-durable materials (except standard informational signs); or
  - (3) Located in the public right-of-way (except as permitted by this ordinance) shall be prohibited and shall be removed by the owner.
- (c) Upon failure to comply with any requirement of this section, the City Planner may cause the removal of such sign at the expense of the owner.

- (d) 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 demountable material on non-conforming signs shall be permitted.
- (e) 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 to their original condition.
- (f) 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.

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.

- (g) The City Planner 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 herein.

#### **DIVISION 5. ENFORCEMENT AND SIGN REMOVAL PROCEDURES.**

##### **Section 66-22. Inspection**

The City Planner or other designated city officials shall periodically inspect each permanent and temporary conforming and non-conforming sign for the purpose of ascertaining whether the same is secure or insecure, whether it is in compliance with the requirements of this ordinance and whether it is in need of repair.

In addition to these inspections, the City Planner shall cause to be removed any sign that falls under the following classifications:

- (a) *Traffic hazards.* Any sign constituting a traffic hazard or a menace to the motoring public or pedestrians, as determined by the City Planner in consultation with the Chief of Police, shall be removed as provided herein.
- (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 City Planner shall require its removal in accordance herein.

- (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 one (1) month or longer, including any tenant in a multi-tenant commercial, office, or industrial structure, 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 this Subsection. The supporting structure of an abandoned sign shall be subject to the non-conforming use provisions herein.
- (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 City Planner shall proceed as described herein.
- (e) *Unlawful signs.* No person shall erect or permit to be erected any sign that does not comply with the provisions of this ordinance.

The City Planner 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 ten (10) business days, the sign shall be removed in accordance with the provisions of this Section.

All notices by the City Planner 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.

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.

Any person having an interest in the sign or the property may appeal the determination of the City Planner ordering removal or compliance by filing a written notice of appeal with the

City Council within ten (10) business days after receipt of the notice. Appeals will be handled as provided in Section 66-7.

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

When it is determined by the City Planner 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 City Planner shall document the unsafe condition and may correct the danger, with all costs being charged to the sign owner or the property owner.

If it shall be necessary for the City Planner 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 City Planner 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.

Any sign removed by the City Planner 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 66-23. Violations**

Any of the following shall be a violation of this ordinance and shall be subject to the enforcement remedies and penalties provided herein:

- (a) To install, create, or erect any sign requiring a building permit without such a permit;
- (b) To install, create, or erect any sign in a way that is inconsistent with any plan or permit governing such sign or the zoned lot on which sign is located;
- (c) To fail to remove any sign that is installed, created, or erected in violation of this ordinance, or for which the building permit for such sign has lapsed; or,

- (d) To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this ordinance.

**Section 66-24. Notice of violation.**

Illegal signs erected in the public right-of-way shall be removed without notice. If any sign is erected or maintained in violation of any of the provisions of this article, the City Planner shall have the duty to give the owner thereof written notice of such violation, such notice to include a brief statement of the particulars in which this article is violated and the manner in which such violation is to be remedied. If a sign has been registered with the City Planner, notice to the registered owner or to the person or firm receiving the permit shall be sufficient. If a sign has not been registered and the owner is not known, affixing a copy of the notice to the sign, sign structure or building for a period of ten (10) days shall be sufficient.

**Section 2.** Chapter 66 of the Code of Ordinance of the City of Peachtree City, Georgia, is hereby repealed in its entirety.

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

**Section 4.** 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 City Council 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.

Done, Ratified, and Passed this 2nd day of June 2005.

\_\_\_\_\_  
Stephen D. Brown, Mayor

Attest: \_\_\_\_\_  
City Clerk