



**Chapter 5, Article IX - Sign Regulations**  
**City of Avondale Estates, GA**



# Chapter 5 - Sign Regulations

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# ARTICLE 1 | INTRODUCTORY PROVISIONS

## Division 1.1 - Legal Framework

### Section 1.1.1 - Purpose and Findings

- A. Findings. Signs provide an important medium through which individuals may convey a variety of messages. However, left completely unregulated, signs can become a threat to public safety as a traffic hazard and a detriment to property values and the City's overall neighborhood character as well as an aesthetic nuisance.
- B. B. Some signage has a single targeted function and identification of signage by description is impossible without referring to its function. For instance, address numerals are used for the sole purpose of identifying addresses, which is a benefit to persons looking for those addresses and is essential to public safety personnel responding to emergencies. In addition, directional signs are used for the sole purpose of ensuring safe movement of vehicles entering and exiting property to and from public rights-of-way, private roads and driveways. While such signage may be referenced based upon the function it serves within the context of this article, the provisions of this article are unrelated to the content of the speech provided and allow maximum expressive potential to sign owners.
- C. Intent of Board of Mayor and Commissioners. The intent of these regulations is to:
  - 1. Balance the rights of individuals to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs; and
  - 2. Further the objectives of the City's Comprehensive Plan, which is expressly incorporated herein; and
  - 3. Protect the public health, safety and welfare of the citizens and others within the City; and
  - 4. Reduce traffic and pedestrian hazards; and
  - 5. Promote the aesthetic qualities of the City; and
  - 6. Protect property values by minimizing the possible adverse effects and visual blight caused by signs; and
  - 7. Promote economic development; and
  - 8. Ensure the fair and consistent enforcement of sign regulations; and
  - 9. Promote the stated purposes of the Ordinance, which are expressly incorporated herein.
- D. Intent of sign regulations.

Notwithstanding any other restrictions in this Chapter, any sign authorized under this Chapter can contain any message, other than messages containing obscenity as defined herein, or other than a sign that advertises an activity that is illegal under state or federal laws.

### Section 1.1.2 - Applicability

The regulation and requirements of this Chapter apply to all signs that are or are intended to be viewed from a public right-of-way, a private street, or adjacent property.

### Section 1.1.3 - Severability

In the event any section, paragraph, phrase, or sentence of this Chapter is invalidated by a court of competent jurisdiction, such determination shall not affect the remaining sections, paragraphs, phrases or sentences of this Chapter, it being the intention of the Board of Mayor and Commissioners that provisions of this Chapter are severable to the maximum extent permitted by law.

# ARTICLE 2 | GENERAL REGULATIONS

## Division 2.1 - Signs Permit Required; Exemptions

### Section 2.1.1 – Sign Permits Required

Except for signs exempted by Section 2.1.2 - Exempt Sign Types, no sign may be erected in the City without first

obtaining a permit pursuant to Article 3 - Review and Approval Procedures of this Chapter.

### **Section 2.1.2 – Exempt Sign Types**

The following signs shall be exempt from the permit requirements of Division 3.1 - Sign Permits and Applications, provided: however, that such signs shall be subject to all other provisions of this Chapter:

- A. Official signs.
- B. Property address signs.
- C. Incidental signs.
- D. Transit signs.
- E. Standard informational signs.
- F. Directional signs.
- G. Window displays of goods utilizing no more than 50 percent (50%) of the available window area.
- H. Signs on products that are an integral part of the product, the product's original packaging, and product dispensers (such as, but not limited to a soft drink machine).
- I. A building design, color, or motif that is associated with a particular establishment or organization, but which conveys no message.
- J. Signs installed in conjunction with EV charging stations, pursuant to Section 6.2.7.A - Electric Vehicle Charging Stations of the Zoning Ordinance. Signs shall not exceed two (2) square feet in area per EV parking space.
- K. Flags.
- L. Sandwich board signs.
- M. Window signs.

## **Division 2.2 - Prohibited Signs**

### **Section 2.2.1 – Prohibited Sign Types**

The following types of signs are prohibited in the City:

- A. Inflatable signs that exceed three (3) cubic feet per device.
- B. Animated signs.
- C. Flashing signs. Signs installed for the safety or control of traffic are exempt from this provision so long as they meet all physical and other standards of the Manual of Uniform Traffic Control Devices.
- D. Feather flags.
- E. Abandoned signs.
- F. Dilapidated signs.
- G. Roof signs.
- H. Pole signs.
- I. Festoons.
- J. Exposed LED or neon signs or light strips.
- K. Signs that are painted on or attached to trees, curbs, utility poles, or rocks or other natural features.
- L. Obscene signs. Obscene signs, as defined by the state at O.C.G.A. § 16-12-80(b), are not allowed.
- M. Obstructions. No sign shall obstruct any fire escape, window, door, or opening usable for fire prevention or suppression, or prevent free passage from one part of a roof to any other part thereof. No sign shall extend above a parapet wall, be affixed to a fire escape, or interfere with any opening required for ventilation.
- N. Signs placed on public property. Any sign posted or erected on utility poles, public rights-of-way, or any

other public property is not allowed, except those placed or approved to be placed by agencies of the federal, state, or local government having control of such property.

- O. Search lights and similar devices.
- P. Signs imitating public warning or traffic devices. Any sign that displays intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles, and any sign that displays in a manner that might mislead or confuse a driver to believe such a sign to be an official public warning or traffic device, is not allowed. Any sign that uses the dimensional shape, size, colors of, or otherwise substantially imitates governmental traffic signs is not allowed. No red, green or yellow illuminated sign shall be permitted within 300 feet of any traffic light.
- Q. Vehicular signs.
- R. Tri-vision signs.

## Division 2.3 - Conformance to State Law

### Section 2.3.1 – Conformance Required

The following applies to any sign located or to be located within 660 feet of the nearest edge of the right-of-way of an Interstate, U.S. or state-numbered highway (or any other road designated as a “primary highway” by the state and approved by the U.S. Department of Transportation), or located or to be located beyond 660 feet of such highway but visible and intended to be read from such highway:

- A. Such sign shall comply with all requirements of the Georgia Outdoor Advertising Act, O.C.G.A. § 32-6-70 et seq.
- B. Such sign shall comply with all requirements of this Chapter. Between the state and the City regulations, such sign must comply with the most restrictive requirements with respect to each and every item of regulation.

## Division 2.4 - Signs Allowed by Zoning District

### Section 2.4.1 - Residential Zoning Districts

Only the following types of signs are allowed within the residential zoning districts in the City (R-24, R-12, and MFR):

- A. Ground signs for multi-unit developments at subdivision or development entrances, per **Section 2.5.5. – Monument Signs** and **Section 2.5.8 – Directional Signs**.
- B. Flags, per **Section 2.5.9 – Flags**.
- C. Standard informational signs, per **Section 2.6.2 – Standard Informational Signs**.

### Section 2.4.2 – Commercial and Mixed-Use Districts

Sign types are permitted in the commercial and mixed-use districts (O-I, GC, and CBD) in accordance with the provisions of **Article 2 - General Regulations**.

### Section 2.4.3 – Signs in the Central Business District (CBD)

- A. Signs permitted. In addition to the types of signs allowed in **Article 2 - General Regulations**, each tenant space in the CBD is permitted one additional Building Sign, up to a maximum of two (2) signs per tenant (i.e.: if the space is already granted two (2) building signs per **Division 2.5 - Permanent Signs**, no additional signs are permitted). The additional sign shall be a different type than the first sign permitted. That is, a tenant space can erect a wall sign and a projecting sign but not two (2) wall signs, unless the provisions of **Division 2.5 - Permanent Signs** allow two (2) wall signs already.
- B. Illumination. Signs in the CBD shall be externally, halo, or routed push-through illuminated. Internal illumination is prohibited.

## Division 2.5 - Permanent Signs

### Section 2.5.1 - Building Signs

- A. Building signs include wall, projecting, and awning sign types. Regulations apply to all building sign

types when referred to as “building signs.” The sign types are referenced individually where the regulations differ between them.

- B. In the event of conflict between Table 2.5.1 - Building Sign Regulations and the detailed regulations identified in this Section, the detailed regulations govern.

Table 2.5.1 - Building Sign Regulations						
Building Signs	Sign Type	Area	Height	Projection	Quantity	Illumination
	Wall	20% of façade or 200 sq ft, whichever is less	Min. 10 feet above sidewalks	Max. 18 Inches	1 per tenant 200 ft. frontage; max. 2 signs	Internal and external
	Projecting	20% of façade or 200 sq ft, whichever is less	Min. 10 feet above sidewalks	Max. 48 Inches		External
	Awning	20% of façade or 200 sq ft, whichever is less	Min. 10 feet above sidewalks	Max. 8 inches		External

- C. All building signs are subject to the following restrictions:

1. **Method of attachment.**

- a. All signs shall be constructed and erected to withstand a horizontal wind load of 30 pounds per square foot in any direction together with the dead load of the construction.
- b. All signs shall be attached in a manner that avoids damaging or obscuring any of the character-defining features associated with the subject building.
- c. Signs shall be attached in a manner that allows for their removal without adversely impacting the exterior of the subject building.
- d. The visibility of conduit and raceways associated with a sign shall be minimized; however, if raceways must be exposed, they should be finished to match the facade or integrated into the overall design of the sign.

2. **Location and height.**

- a. Building signs that project over any sidewalk or other occupiable space shall be placed a minimum of ten (10) feet in height above ground-level.
- b. Wall signs may not project higher or lower than the wall or surface it is attached to.

3. **Sign area and quantity by building type.**

- a. Single occupant buildings and multi-tenant buildings with shared space and common entrance(s):
  - i. Maximum sign area per *building* shall be two (2) square feet per linear foot of the subject facade, or 200 square feet total, whichever is less.
  - ii. For facades less than 200 feet in length, a maximum of one (1) sign is permitted per facade.
  - iii. For facades greater than 200 feet in length, one (1) additional building sign is permitted

per façade.

- iv. A maximum of two (2) facades may contain building signage.
- b. Planned centers and mixed-use buildings (with separate tenant entrances):
  - i. Maximum sign area per *tenant* shall be one (1) square foot per linear foot of the subject facade, or 200 square feet, whichever is less.
  - ii. For tenant facades less than 100 feet in length, a maximum of one (1) sign is permitted per facade.
  - iii. For tenant facades greater than 100 feet in length, one (1) additional building sign is permitted per tenant façade.
  - iv. A maximum of two (2) tenant facades may contain building signage.
- 4. **Projection from wall.**
  - a. Wall signs shall project no more than 18 inches from the facade.
  - b. Projecting signs shall project no more than 48 inches from the facade.
  - c. Awning signs shall project no more than 18 inches from the front edge of the awning.
- 5. **Illumination.**
  - a. Wall signs may be illuminated with channel, halo, routed push-through, and external illumination, unless prohibited in **Section 2.4.3 - Signs in the Central Business District (CBD)**.
  - b. Projecting and awning signs are limited to external illumination.
  - c. No other illumination is permitted.

## Section 2.5.2 - Other Permanent Sign Regulations

In the event of conflict between Table 2.5.2 - Other Permanent Sign Regulations and the detailed regulations identified in this Section, the detailed regulations govern.

Table 2.5.2 - Other Permanent Sign Regulations						
Other Permanent Signs	Sign Type	Area	Height	Quantity	Illumination	
	Hanging	4 sq ft	Min. 10 feet above sidewalks	1 per tenant in planned center	Prohibited	
	Drive-thru	24 sq ft	n/a	3 per drive-thru; 24 sq ft aggregate	Internal or external	
	Monument (residential uses and façades < 200 ft)	40 sq ft	8ft	1 per street front	External	
	Monument (façades > 200 ft)	64 sq ft	8ft	1 per street front	External	
	Canopy	50 sq ft	n/a	1 per street front	Internal and external	
	Window	20% of window area	n/a	n/a	Prohibited	
	Directional	3 sq ft	3 ft	2 per driveway	Prohibited	
	Flags	32 sq ft	20 ft	1 per parcel (res); 2 per parcel (non-res)	Prohibited	
	Incidental	1 sq ft	n/a	16 sq ft aggregate per lot	Prohibited	
	Official	See Section 2.5.11				

### Section 2.5.3 - Hanging Signs

- A. *Sign area:* Hanging signs shall be limited to four (4) square feet in area.
- B. *Quantity:* A maximum of one (1) hanging sign is permitted per tenant of a planned center.
- C. *Location:* Signs shall provide a minimum of ten (10) feet of clearance from ground level to the bottom of the sign.
- D. *Illumination:* Hanging signs shall not be illuminated.

### Section 2.5.4 - Signs Associated with Drive-thru Uses

- A. *Sign area:* A sign associated with a drive-thru use shall not exceed twenty-four (24) square feet in aggregate area.
- B. *Quantity:* A maximum of three (3) signs per drive-thru establishment are permitted, subject to the aggregate area limitation above.
- C. *Location:* Such signs shall not be oriented toward the public right-of-way.
- D. *Illumination:* Signs may be internally or externally illuminated and are exempt from the prohibition on cabinet lighting.
- E. *Other standards:*
  - 1. Signs associated with drive-thru uses shall be permanently affixed and rigidly mounted to the building or freestanding structure.
  - 2. All signs associated with drive-thru uses shall be framed and constructed of metal or other sturdy material.

### Section 2.5.5 - Monument Signs

- A. *Sign area and height by land use*
  - 1. Residential and multifamily uses:
    - a. Signs shall not exceed a maximum area of 40 square feet.
    - b. Signs shall not exceed a maximum height of eight (8) feet.
  - 2. All other uses:
    - a. Maximum sign area for buildings with under 200 feet of continuous street frontage is 40 square feet.
    - b. Maximum sign area for buildings with 200 feet or more of continuous street frontage is 64 square feet.
    - c. Maximum height shall be eight (8) feet.
- B. *Quantity and location*
  - 1. One (1) monument sign is permitted per street frontage per parcel.
  - 2. One (1) additional monument sign is permitted for any parcel with more than 500 feet of street frontage.
  - 3. Monument signs shall be located a minimum of ten (10) feet from the back of curb/edge of pavement or one foot onto private property, whichever results in the greater setback. Any signs not located adjacent to a street shall be setback a minimum of five (5) feet from property lines.
  - 4. See **Section 6.5.4 - Intersection Visibility** of the Zoning Ordinance for sight distance and visibility at intersections.
- C. *Illumination:* Monument signs may be externally illuminated.
- D. *Other standards*
  - 1. Monument signs shall be constructed with a brick, stucco, or stone base.
  - 2. Changeable copy signs are only permitted on allowable monument signs conforming to all standards of this Chapter and the following:



- a. The changeable copy portion of a sign is limited to 70 percent (70%) of the total sign area.
- b. Changeable copy signs that are mechanically changed shall contain a default design that will freeze the sign in one position if a malfunction occurs.

### Section 2.5.6 - Canopy Signs

Signs located on fuel station canopies are restricted to one (1) sign per road frontage with a maximum area of 50 square feet per frontage.

### Section 2.5.7 - Window Signs

- (a) *Sign area:* Window signs shall not obstruct more than 20 percent (20%) of the window area.
- (b) *Illumination:* Window signs, except exempt from **Section 2.1.2 – Exempt Sign Types**, shall not be illuminated.
- (c) *Other standards:* No window sign may be handwritten.

### Section 2.5.8 - Directional Signs

- A. *Sign area:* Each directional sign shall not exceed three (3) square feet in area.
- B. *Quantity:*
  1. There shall be a maximum two (2) directional signs allowed per driveway entrance.
  2. For planned centers, there shall be no more than two (2) such signs per curb cut, with no more than three (3) additional such signs per lot.
- C. *Location and height*
  1. Directional signs shall be located within three (3) feet of driveways that provide access into, within, or from the property.
  2. No setback from the right-of-way line is required, but such signs shall be placed on private property with the owner's permission.
  3. Directional signs shall not be more than three (3) feet in height.
  4. See **Section 6.5.4 - Intersection Visibility** for sight distance and visibility at intersections.
- (d) *Illumination:* Directional signs shall not be illuminated.

### Section 2.5.9 - Flags

- A. *Sign area:* Flags shall not exceed 32 square feet in area.
- B. *Quantity:* No more than one (1) flag is permitted per residential lot. No more than two (2) flags are permitted on any non-residential or mixed-use lot.
- C. *Location:* Freestanding flagpoles shall be setback from the property line a distance equal to the height of the flagpole.
- D. *Illumination:* Flags shall not be illuminated.
- E. *Other standards:*
  1. A flagpole more than 20 feet tall shall be subject to a building permit if located on a property not zoned R-12 or R-24.
  2. Flagpoles are subject to the maximum height restrictions of each zoning district.

### Section 2.5.10 - Incidental Signs

- A. *Sign area:* Incidental signs shall be no more than one (1) square foot.
- B. *Aggregate allowance:* There is no maximum number of standard informational signs on a lot. The quantity of signage is limited by the aggregate area permitted on the lot. The aggregate of all such signs on a property shall not exceed 16 square feet, unless a larger area or aggregate area is required by law or government regulation.
- C. *Location:* Incidental signs shall be located on private property.

D. *Illumination:* Incidental signs shall not be illuminated.

### Section 2.5.11 - Official Signs

Such signs are authorized within all rights-of-way and on other properties controlled by such governmental body, agency, board of education or public authority; and at such other locations as provided by statute or ordinance. Where physical characteristics of official signs are prescribed by statute or ordinance, such as signs shall meet those standards. In the absence of statutory standards, official signs shall comply with the physical standards of this Chapter.

## Division 2.6 - Temporary Signs

### Section 2.6.1 - Temporary Sign Regulations

In the event of conflict between Table 2.6.1 - Temporary Sign Regulations and the detailed regulations identified in this Section, the detailed regulations govern.

Table 2.6.1 - Temporary Sign Regulations						
Temporary Signs	Sign Type	Area	Height	Quantity	Duration	Illumination
	Informational	10 sq ft	4 ft	10 sq ft aggregate per lot	temporary in nature	Prohibited
	Sandwich Board	12 sq ft	4 ft	1 per tenant	removed each day	Prohibited
	Banners	32 Sq ft	Min. 10 feet above sidewalks	1 per tenant (planned center); 1 per lot (all others)	14 days; 3 per year	Prohibited
	Event	24 sq ft	6 ft	1 per lot	removed within 10 days of event	Prohibited

### Section 2.6.2 - Standard Informational Signs

- A. *Duration:* Standard informational signs shall be temporarily displayed on a lot.
- B. *Sign area and height*
  - 1. Standard informational signs are limited to ten (10) square feet of sign area per lot.
  - 2. Standard informational signs shall be limited to a maximum height of four (4) feet.
- C. *Aggregate allowance:* There is no maximum number of standard informational signs on a lot. The quantity of signage is limited by the aggregate area permitted on the lot. The aggregate of all such signs on a property shall not exceed ten (10) square feet.
- D. *Illumination:* Such signs shall not be illuminated.
- E. *Other standards*
  - 1. Non-permanent but water-resistant construction materials shall be used, such as but not limited to, corrugated plastic or coroplast, acrylic, or PVC.
  - 2. Signs shall be rectangular in proportion without projections or attachments.
  - 3. Signs shall not contain reflective elements.

### Section 2.6.3 - Sandwich Board Signs

- A. *Duration:* Sandwich board signs shall be designed to be portable, folding in nature, and shall be removed to the interior of a building or structure at the close of business each day.
- B. *Sign area and height:* Such signs shall not exceed 12 square feet in area and shall be no greater than four (4) feet in height.

C. *Quantity*: A maximum of one (1) sandwich board sign is permitted per tenant.

D. *Location*:

1. A sandwich board sign shall not be placed in the right-of-way or in parking areas.
2. The placement of a sandwich board sign shall not interfere with pedestrian movement and shall be placed such that at least three feet of unobstructed sidewalk width remains for pedestrian travel.
3. Sandwich board signs shall be located a maximum of ten (10) feet from an entrance to the building.

E. *Illumination*: Such signs shall not be illuminated.

F. *Other standards*: All sandwich board signs shall be constructed of wood, metal, or other sturdy material and shall not contain reflective elements or fluorescent colors.

## Section 2.6.4 - Banners

A. *Duration by building type*:

1. Per **tenant** in a planned center: No banner shall be displayed for more than 14 consecutive days, with no more than three (3) such 14-day periods being permitted per calendar year per tenant.
2. Per **lot** for a planned center, multi-tenant building with shared space, and single occupant buildings: No banner shall be displayed for more than 14 consecutive days, with no more than three (3) such 14-day periods being permitted per calendar year per lot.

B. *Sign area*: Each banner shall not exceed 32 square feet.

C. *Quantity by building type*:

1. Per tenant in a planned center: No more than one (1) banner shall be displayed on any tenant space at one time.
2. Per lot for a planned center, multi-tenant building with shared space, and single occupant buildings: No more than one (1) banner shall be displayed on any lot at one time.

D. *Location*: If located under a canopy, banners shall provide a minimum of ten (10) feet of clearance from ground level to the bottom of the sign.

E. *Illumination*: Such signs shall not be illuminated.

F. *Other standards*:

1. All banners shall be maintained in good condition.
2. Each banner must be securely attached to poles, mast arms, fences, a building facade, or other similar structures on all four corners of the banner.

## Section 2.6.5 - Signs in Conjunction with Eligible Events:

A. *Sale or lease of a building or premises*.

1. *Duration*: Such signs in conjunction with eligible events shall be removed within ten (10) days of a closing of the sale or execution of a lease of the property. To be eligible for this sign type, a minimum of 5,000 square feet of a building or premises shall be available for sale or lease.
2. *Sign area and height*:
  - a. Ground signs. Such signs erected in conjunction with eligible events shall not exceed 24 square feet in area, and six (6) feet in height.
  - b. Wall signs. Such signs erected in conjunction with eligible events shall not exceed ten (10) square feet in area.
3. *Quantity*: When a building or premises is available for sale or lease, one (1) ground sign per street frontage is permitted in O-I, GC, and CBD zoning districts. For a planned center, one (1) additional wall sign may be placed on each tenant space that is available for sale or lease.
4. *Location*:

- a. Signs shall be located a minimum of ten (10) feet from the back of curb/edge of pavement or one (1) foot onto private property, whichever results in the greater setback. Any signs not located adjacent to a street shall be setback a minimum of five (5) feet from property lines.
- b. See **Section 6.5.4 - Intersection Visibility** for sight distance and visibility at intersections.
5. *Illumination:* Such signs shall not be illuminated.

**B. Subdivision construction.**

1. *Duration:* Such signs shall be removed within ten (10) days of the issuance of the certificate of occupancy for the permitted improvements on the last buildable lot in the subdivision or development, or the sale of the last buildable lot without improvements. Such signs shall also be removed at anytime after a period of twelve (12) consecutive months during which no building permit has been issued for construction within the subdivision or development.
2. *Sign area and height:* Signs shall not exceed 24 square feet in area or six (6) feet in height.
3. *Quantity:* During construction of a multi-parcel subdivision, one (1) additional ground sign is permitted per lot.
4. *Location:*
  - a. Sign shall be placed at an entrance into the subdivision
  - b. Signs shall be located a minimum of ten (10) feet from the back of curb/edge of pavement or one foot onto private property, whichever results in the greater setback. Any signs not located adjacent to a street shall be setback a minimum of five (5) feet from property lines.
  - c. See **Section 6.5.4 - Intersection Visibility** for sight distance and visibility at intersections.
- (5) *Illumination:* Such signs shall not be illuminated.

**C. Building construction or remodeling.**

1. *Duration:* Such sign(s) shall be removed within ten (10) days after issuance of the certificate of occupancy/completion or final inspection, whichever occurs first.
2. *Sign area and height:* Signs shall not exceed 24 square feet in area or six (6) feet in height.
3. *Quantity:* During building construction or remodeling, one (1) ground sign per street frontage is permitted upon issuance of a land disturbance permit or building permit authorizing the demolition or construction of a building within the O-I, GC, and CBD zoning districts, where no existing ground sign exists.
4. *Alternatively,* in lieu of the ground sign(s) described in this subsection, the property owner or developer may elect to place one (1) sign per street frontage on an opaque fabric that provides a visual screen along a temporary construction fence. Signage on construction fencing shall not exceed an aggregate area of 50 square feet.
5. *Illumination:* Such signs shall not be illuminated.

## Division 2.7 - Illumination of Signs

All illuminated signs are required to comply with the regulations of this Division.

### Section 2.7.1 – Permitted Illumination

- A. Signs types that allow illumination are limited to channel, halo, routed push-through, and external illumination, unless otherwise specified in this Chapter.
- B. Internally illuminated signs shall completely shield the source of light from direct view.
- C. Externally illuminated signs shall have concealed wiring and controls and shall have shielded and screened external light sources.
- D. All other internally illuminated cabinet lighting is prohibited, unless exempted in **Section 2.5.4 - Signs Associated with Drive-thru Uses**.
- E. Illuminated signs shall not exceed 20 footcandles of light at a distance of ten (10) feet from such structure.

- F. White light only shall be allowed, unless permitted pursuant to **Section 2.7.5 – Electronic Sign Faces**.
- G. The light from an illuminated sign shall be established in such a way that no direct light is cast upon adjacent properties and roadways.

**Section 2.7.2 - Hazards**

Illumination devices shall be placed, filtered, and shielded so direct rays will not be cast into the eyes of drivers or pedestrians.

**Section 2.7.3 - Light Pollution**

Sign illumination shall not cast light directly upon adjacent properties or roadways. No illuminated signs are allowed within 100 feet of any residential zoning district or property occupied by a residential use. Mixed-use properties shall be illuminated in such a manner as to not cast light directly into residential units.

**Section 2.7.4 - U.L. Listing**

All components of an illuminated sign shall be U.L. listed, or the equivalent thereof, with an identification label, that shows the manufacturer of the sign.

**Section 2.7.5 – Electronic Sign Faces**

- A. Electronic sign faces are allowed on commercial and mixed-use properties in the O-I, C-1, and CBD zoning districts. For properties zoned R-12, R-24, and MFR, changeable copy signs, including electronic sign faces, may be utilized for institutional uses; provided that, such signs are limited to fronting on arterial or collector streets.
- B. Electronic sign faces with traveling messages that travel at a rate slower than 16 light columns per second or faster than 32 light columns per second are prohibited.
- C. No non-traveling sign message shall be displayed for a period of time less than 15 seconds.
- D. Transition from one (1) message to another message shall require no more than one (1) second.
- E. *Standards of illumination.* Prior to the issuance of a sign permit for a sign with an electronic sign face, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the standards shown in **Table 2.7.5 – Standards of Illumination for Electronic Sign Faces** below and that the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the director. Such certification shall be provided upon completion of installation and at least every two years thereafter.

<b>Table 2.7.5 - Standards of Illumination for Electronic Sign Faces</b>		
	<b>Maximum Intensity Levels (NITS)</b>	
<b>Color</b>	<b>Day time</b>	<b>Nighttime</b>
Red Only	3,150	1,125
Green Only	6,300	2,250
Amber Only	4,690	1,675
Multi-colors	7,000	2,500

**Section 2.7.6 – Dimmable Technology**

Electronic sign faces shall utilize automatic dimming technology to adjust the brightness of the sign relative to natural ambient light conditions in order to reduce the level of illumination during nighttime hours and other times of low natural ambient light.

**Section 2.7.7 – Malfunction Defaults**

All signs with an electronic sign face shall contain a mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.

## Division 3.1 - Sign Permits and Applications

### Section 3.1.1 - Sign Permit

In addition to a building permit as may be required under the building code, a sign permit shall be obtained prior to installation, relocation, expansion, construction, panel exchange, reconstruction, renovation, or structural alteration of any sign regulated under this Chapter except for those signs specifically exempted under **Section 2.1.2 - Exempt Sign Types**.

### Section 3.1.2 - Issuance of a Sign Permit

Any sign requiring issuance of a sign permit under the provisions of this Chapter shall be reviewed for compliance with the provisions of this Chapter. The sign application, with the nonrefundable application fee established by the Board of Mayor and Commissioners, shall be submitted to the City Manager.

### Section 3.1.3 - Sign Permit Application

Applications for sign permits shall be filed by the property owner or his agent with the City. The application shall describe and set forth the following:

- (a) The type of the sign as defined in this Chapter.
- (b) The street address of the property upon which the subject sign is to be located, and the proposed location of the subject sign on the subject property.
- (c) The area of the sign face and the sign structure and the aggregate square foot area if there is more than one sign face.
- (d) The name and address of the owner of the real property upon which the subject sign is to be located.
- (e) The written consent of the property owner or his agent granting permission for the placement or maintenance of the subject sign.
- (f) The name, address, telephone number, copy of insurance certificate, and business license number of the sign contractor.
- (g) The name, address, telephone number, and business license number of the tenant.
- (h) A site plan and/or elevation drawing showing the placement of the sign in relation to other signs, buildings and structures on the property.
- (i) Documentation demonstrating business license and insurance requirements of this Chapter are met.
- (j) Plans required for issuance of a sign permit shall be certified as to conformance with all building, structural and wind load-resistive standards of the building code by a qualified structural engineer, or be prepared using standard drawings prepared by a structural engineer or other qualified professional meeting or exceeding all requirements of the building code, if applicable.
  - (1) All signs involving internal lights or other electrical devices, or circuits shall display a label certifying it as being approved by the Underwriter's Laboratories, Inc.
  - (2) All electrical service to a sign shall comply with the electrical code. A licensed electrical contractor must obtain an electrical permit and wire the sign to code.
  - (3) Clearance from all electrical power lines shall be in conformance with the requirements of the electrical code.
  - (4) Any additional information deemed necessary by the City Manager to determine compliance with ordinance standards.

### Section 3.1.4 - Process of Sign Permit

- A. The City shall process all sign permit applications within 30 days of the City's actual receipt of a complete application for a sign permit.
  1. The City Manager shall reject any application as incomplete that does not include all items required for a sign permit application as set forth under **Section 3.1.3 – Sign Permit Application**.
  2. The City Manager shall reject any application containing any false material statements or omissions. Any rejected application later resubmitted shall be deemed to have been resubmitted

on the date of resubmission instead of the original date of submission.

- B.** Within 30 days of receipt of a complete application, the City Manager shall:
  - 1. Issue the permit; or
  - 2. Inform the applicant, in writing, of denial of the permit, stating the reasons why the permit cannot be issued, and that applicant may appeal a denial pursuant to **Section 3.3.1- Appeals of Administrative Decision**.
- C.** Upon determination that the application fully complies with the provisions of this Chapter, the building code, and all other applicable laws, regulations and ordinances of the City, the sign permit shall be issued.
- D.** If the City does not process an application for a sign permit within 30 days as set forth in this Section, then the application shall be considered approved; provided this approval shall not authorize the violation of any standards of City ordinances regulating such sign and vests no rights in the owner of a sign in violation of City ordinances. Any such sign in violation of the City ordinances shall be treated identically to a sign affirmatively approved in error by the City, vesting no rights in the sign and subject to revocation by the City under the provisions of this Chapter.
- E.** Should it be determined that a sign permit was issued pursuant to an application containing a false material statement, the City Manager shall revoke the subject sign permit in accordance with **Section 4.2.3 – Revocation Procedures**, and the subject sign shall be removed.

### **Section 3.1.5 - Permit Fee**

No sign permit application shall be deemed complete, and no sign shall be issued until the appropriate application has been filed with the City Manager and fees have been paid per the fee schedule adopted by Board of Mayor and Commissioners.

### **Section 3.1.6 - Sign Permit Expiration Date**

A sign permit shall expire if the sign for which the permit was issued has not been erected, installed, and completed within six (6) months after the date of permit issuance; provided, however, that one 90-day extension of the permit shall be granted if an additional permit extension fee has been paid prior to the expiration date of the initial permit.

### **Section 3.1.7 – Business License and Certificate of Insurance Requirements**

It shall be unlawful for any person to engage in the business of erecting or maintaining signs within the City unless and until such person has obtained a business license issued in the state and a certificate of insurance from an insurance company authorized to do business in the state evidencing that the person has in effect public liability and property damage insurance providing coverage in the sum of \$25,000.00 for property damage for any one claim and public liability insurance in an amount not less than \$100,000.00 for injuries, including accidental death, to one person. The certificate of insurance shall state that the insurance carrier will notify the City 30 days in advance of any termination or restriction of the coverage.

## **Division 3.2 - Variances**

### **Section 3.2.1 – Applicability**

Any variation to strict compliance with the regulations of this Chapter require review and approval in accordance with the applicable variance procedures of the Zoning Ordinance, **Division 7.2 – Variances**; **Division 7.3 – Administrative Variances**; and **Division 7.7 – Concurrent Variances** and in accordance with the specific sign review and approval criteria in **Section 3.2.4 - Review and Approval Criteria** in lieu of the criteria in the Zoning Ordinance.

### **Section 3.2.2 - Administrative Variances**

The authority to grant such administrative variances shall be limited to a variance from the following requirements:

- A.** The City Manager may grant an administrative variance of up to ten (10) percent from the dimensional standards, provided the resulting signage is consistent with the purpose of this Chapter:

- B. The decision of the City Manager regarding an administrative variance shall state the reasons for approval or denial and shall be considered the “final decision.” Said final decision shall be made no later than 60 days following filing of a complete application, unless extended by agreement of the applicant.
- C. Appeals from a final decision on an administrative variance by an aggrieved party shall follow the appeals procedure of **Section 3.3.1 - Appeals of Administrative Decision**.

### **Section 3.2.3 – Board of Mayor and Commissioners Variances**

- A. An application for a variance from the strict application of the provisions of this Chapter may be initiated by application to request relief before the Board of Mayor and Commissioners.
- B. Staff shall conduct a site inspection of and shall prepare an analysis of each application for variance applying the criteria and standards set forth in this Section. Staff shall present its findings and recommendations in written form for review and decision by the Board of Mayor and Commissioners.
- C. No variance may be granted which would have the effect of allowing a prohibited sign identified in **Division 2.2 - Prohibited Signs**.
- D. Appeals from a final decision on a Board of Mayor and Commissioners variance by an aggrieved party shall follow the appeals procedure of **Section 3.3.2 - Further Review by Certiorari**.

### **Section 3.2.4 - Review and Approval Criteria**

Variances from the regulations of this Chapter, reviewed either administratively or by the Board of Mayor and Commissioners, shall be limited to the following hardship situations:

- A. 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; and
- B. Where such conditions are not the result of any actions of the property owner; and
- C. Where variances are limited to the minimum relief necessary to overcome the hardship; and
- D. In no case, shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist.

## **Division 3.3 - Appeals**

### **Section 3.3.1 - Appeals of Administrative Decision**

An applicant whose permit application has been denied, a permittee whose permit has been revoked, an administrative variance decision, or any other person dissatisfied with a determination of the City Manager provided to them in response to a request for such determination may appeal the decision to the Board of Mayor and Commissioners pursuant to the Zoning Ordinance provisions of **Division 7.8 – Appeals of Administrative Decisions**, governing notice and procedures for hearing appeals. In making its determination on any appeal, the Board of Mayor and Commissioners shall base its decision on the express standards of the sign ordinance and shall overrule the decision of the City Manager only in those instances where the City Manager has committed an error in application or interpretation of the sign ordinance.

### **Section 3.3.2 - Further Review by Certiorari**

Any person against whom a variance request has been adversely decided by the Board of Mayor and Commissioners may appeal said decision by petition for writ of certiorari to the Superior Court of DeKalb County as provided by law and in accordance with the procedures in the Zoning Ordinance, **Division 7.9 – Appeals**.

## **ARTICLE 4 | ADMINISTRATION AND ENFORCEMENT**

### **Division 4.1 - Inspections**

#### **Section 4.1.1 – Reference in Code**

For Inspections, see **Division 8.1 - Inspections of the Zoning Ordinance**.

### **Division 4.2 - Enforcement**

#### **Section 4.2.1 - City Manager**



The City Manager or their designee is responsible for general administration of this Chapter; the receipt, review and processing of all applications for sign permits; and all sign application requests filed with the City.

### Section 4.2.2 - Citations

- A. Any violation of this Chapter may be tried upon a citation issued by an authorized representative of the City pursuant to the provisions of this Chapter and state law. Without limitation, businesses, organizations, builders, developers, contractors, property owners, and such other parties responsible for the violation, jointly and severably, may be cited for violation of any provisions of this Chapter.
- B. If the City Manager finds that any sign with an electronic sign face or otherwise illuminated display exceeds the lighting standards set out above or otherwise causes glare or impairs the vision of drivers of motor vehicles or otherwise interferes with the safe operation of motor vehicles, the City Manager shall have a notice of violation issued to the sign owner identifying the problems with the sign and specifying corrective action required. The owner of the sign shall within 48 hours reduce the intensity of the sign to a level that meets standards and does not cause such disturbance.

### Section 4.2.3 – Revocation Procedures

- A. Any permit, certificate, or other form of authorization required under the sign ordinance may be revoked by the City Manager when the City Manager determines:
  - 1. That there is a departure from the plans, specifications, or conditions as required under the terms of the permit.
  - 2. That the sign was procured by false representation or was issued by mistake
  - 3. That any of the provisions of this sign ordinance are being violated.
- B. Written notice of revocation shall be served upon the owner's agent or contractor; or upon any person employed on the building or structure for which such permit was issued. Service upon the address listed in the application shall be sufficient as prima facie evidence of revocation notice. If no persons can be reasonably served with notice, the notice must be posted in a prominent location. After delivery or posting of notice, no construction or installation may proceed.
- C. *Stop-Work.* With or without revoking permits, the City Manager may stop-work on any sign or structure on any land which there is an uncorrected violation of a provision of this sign ordinance or of a permit or other form of authorization issued under the sign ordinance.
- D. *Revoke plan or other approval.* Where a violation of this sign ordinance involves a failure to comply with approved plans or conditions to which the approval of such plans was made subject, the City Manager may, upon notice to the applicant and other known interested parties (including any holders of sign permits affect).
  - 1. Revoke the plan or other approval; or
  - 2. Condition its continuance on strict compliance with this sign ordinance or the provision of a security to ensure that construction is completed in compliance with the approved plans, or such other conditions as the City Manager may reasonably impose.
- E. *Injunctive relief.* The City may seek an injunction or other equitable relief in court to stop any violation of this sign ordinance or of a permit, certificate, or other form of authorization granted under the sign ordinance.
- F. *Abatement.* The City may seek a court order in the nature of a mandamus, abatement, injunction or other action or proceeding to abate or remove a violation or to otherwise restore the premises in question to the condition in which they existed prior to the violation.
- G. *Other penalties, remedies and powers.* In addition to all other actions and penalties authorized in this division, the city attorney is authorized to institute injunctive, abatement or any other appropriate judicial or administrative actions or proceedings to prevent, enjoin, abate, or remove any violations of this sign ordinance. The City may also, after due notice to the owner of the violation, issue a citation for violation of this sign ordinance requiring the presence of the violator in municipal court.
  - 1. *Removal of illegal or abandoned signs.* The City Manager may order the removal of any sign in violation of this Chapter, or any sign abandoned for six consecutive months or more, by written notice to the permit holder; or if there is no permit holder, then to the owner of the sign; or if the

sign owner cannot be found or determined, then to the property owner, sign erector, and any party that procured the erection of the sign. If a permit was issued, such notice shall operate to revoke the permit. The removal order shall be issued only after the appropriate party fails to comply within 15 days after the City gives written notice of non-compliance.

2. **Procedure following removal order.** An aggrieved party may appeal the order within 30 days from the date that the notice was mailed. Such appeal shall be made to the Board of Mayor and Commissioners. If the sign is not removed within 30 days after the order of removal (or 30 days after the date any appeal becomes final), the City Manager is authorized to remove or cause to be removed the sign by filing a proper nuisance abatement action in Municipal Court pursuant to the procedures of the Building Code and State Law..
3. **Removal without notice.** The City Manager or any other agent of the City having jurisdiction under the circumstances may remove or direct the removal of any sign in violation of this Chapter, without giving notice to any party, if either I, ii, or III are met. Following removal, the City may collect costs as per this Section.
  - a. Said sign is illegally placed upon the public-right of-way or upon other public property;
  - b. Said sign poses an immediate safety threat to the life or health of any members of the public;  
or
  - c. Said sign is placed on a property without the permission of the property owner.
4. **Costs of removal.** Removal of any sign found in violation shall be without liability to the City, its officers, agents, and employees. The permit holder shall be primarily responsible for the costs of removal. If there is no permit holder, then the sign owner shall be responsible. If the sign owner cannot be determined, then the costs of removal shall be the responsibility of any party that procured the erection of the sign or the property owner if:
  - a. Payment or arrangement to make payment is not made within 60 days after the receipt of a statement of removal costs, the City Manager shall certify the amount thereof for collection to the city attorney. Said removal cost shall become a lien on the property of the sign owner and/or permit holder.
  - b. Costs of removal shall be charged in accordance with the actual cost to the City.

## Division 4.3 - Nonconformities

### Section 4.3.1 - Nonconforming Signs

- A. A nonconforming sign is a sign that was lawfully erected and maintained prior to the adoption or amendment of **Chapter 5 - Sign Regulations**, and which by reason of such adoption or amendment no longer conforms to one or more of the applicable regulations and restrictions of **Chapter 5 - Sign Regulations** as adopted or amended.
- B. Any sign that was not lawfully erected in accordance with the sign regulations in effect at the time of the sign's construction, or was subsequently altered in a way inconsistent with the sign regulations in effect at the time of its alteration, is considered an illegal sign and shall not be granted nonconforming status.

### Section 4.3.2 - Retention of Nonconformity Status

- A. A nonconforming sign shall immediately lose its nonconforming designation and become an illegal sign if:
  1. The sign is altered in any way that would make the sign less in compliance with the requirements of this Chapter than it was before the alteration, or otherwise extends the nonconformity;
  2. The sign is relocated on the property, unless the relocation results in the sign becoming conforming;
  3. Any part of the sign structure is replaced, other than the face of the sign;
  4. The deterioration of the sign or damage for any reason to the sign makes it a hazard to public safety; or
  5. The sign has deteriorated or been damaged to such extent that repairs required to restore the sign would cost more than 50 percent (50%) of its current replacement value; provided that where

damage to the sign results from Act of God or other circumstances beyond the control of the sign owner, the sign may be restored regardless of cost; in such instance, timely reconstruction, within 90 days of damage, shall result in retention of nonconforming status.

- B. Nothing in this Section shall prevent the owner of a nonconforming sign from continuing to maintain such sign, nor to prevent an owner from making routine changes to the copy or text of an existing nonconforming sign, so long as the degree of such change does not enlarge the size or height of the sign face, does not change the nature of the sign structure, and does not so alter the sign that it would require a building permit.

## ARTICLE 5 | TERMINOLOGY AND MEASUREMENTS

### Division 5.1 - Definitions

#### Section 5.1.1 – Terms

**Abandoned sign:** Cessation of the use of a sign by either the owner of the sign or the occupant of the property on which the sign is placed, or through the removal or relocation of the previous occupant of the property, or a sign that has ceased to be used through the removal of its copy, or the deterioration of its copy through lack of maintenance, but excluding temporary or short-term periods of remodeling, refurbishment or maintenance of the sign.

**Air- or gas-filled balloons:** See *Inflatable signs*.

**Animated sign:** A sign that uses movement or changes of lighting to depict action or to create a special effect or scene or that uses the emission of smoke, noise, gas or other substance from the sign. Signs that utilize the movement of air through the device for visual effect are considered animated signs. Animated signs exclude changeable copy signs permitted by these regulations.

**Awning:** An architectural element that is intended to be hung either with a frame or without a frame, protruding from the building façade, typically for the purpose of providing building ornamentation and/or protecting pedestrians from the elements. Awnings or canopies may extend over a sidewalk, walkway, or vehicle access area.

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

**Banner:** A sign other than a flag made of paper, cloth, thin plastic or similar lightweight material and rectangular in form.

**Building sign:** A sign attached parallel to a wall or awning, painted on the wall or awning surface, or erected and confined within the limits of an outside wall of any building or structure, and supported by such wall or building. Awning, projecting, and wall signs are considered building sign types.

**Cabinet lighting:** A type of internal illumination in which the entire structure of the sign consists of a frame and face or faces. A cabinet sign may include electrical components or support structure.

**Canopy signs:** A type of permanent sign erected on the canopy of a fuel station, service station, or convenience store with gas pumps.

**Changeable copy sign:** A sign that is capable of changing the position or format of 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 a control mechanism or manually on the face of the sign.

**Channel lighting:** A type of internal illumination where the sign face and returns are mounted on standoffs away from the wall, connected by a raceway, and which light is directed toward the viewer through translucent faces. Also known as face-lit.

**Curb cut:** A curb cut means the vehicular ingress and egress between a lot and the adjacent right-of-way or private street access.

**Digital sign face:** See Electronic sign face.

**Dilapidated sign:** A sign that contains or exhibits broken panels, visible rust, visible rot, damaged support

structures, holes on or in the sign structure, broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illumination or mechanical devices or which is otherwise dilapidated, unsightly, or unkempt

**Directional sign:** A ground sign that provides traffic instruction for ingress and egress for travel to, from, or within a lot.

**Double-faced sign:** A sign structure with two sign faces that are parallel (back-to-back) or that form an angle to one another of no more than 60 degrees, where each sign face is designed to be seen from a different direction.

**Electronic sign face:** An illuminated sign face without moving parts whose content may be changed by electronic process with intermittent light or lights, including light emitting diodes liquid crystal display, and plasma screen image display.

**External illumination:** A type of sign lighting accomplished using a source of light that directly or indirectly illuminates the face of the sign from outside the sign structure.

**Feather flag:** A type of animated sign made of paper, cloth, thin plastic or similar lightweight material oriented in a vertical direction and supported by a harpoon-style pole or staff driven into the ground or other material as its primary means of support.

**Festoons:** A type of animated sign made of strings of ribbons, tinsel, small flags, pennants, streamers, pinwheels, long narrow strips of fabric, plastic, or other pliable material designed to move in the wind or by mechanical fan.

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

**Flagpole:** A freestanding structure, or a structure attached to a building, for the sole purpose of displaying flags.

**Flashing signs:** A type of animated sign that can flash, blink, rotate, revolve, or have moving parts or visible bulbs, and signs containing reflective elements that sparkle in the sunlight or otherwise simulate illumination during daylight hours.

**Ground sign:** A sign attached to the ground and that is wholly independent of any building or other structure for support.

**Halo lighting (and similar lighting styles):** A type of internal illumination where the sign face and returns are mounted on standoffs away from the wall and which light is directed against a surface behind the letter, producing a halo effect. Every part of the sign face and structure visible to the viewer is opaque, and the back is open or translucent. Also known as a back-lit or reverse channel-lit.

**Hanging sign:** A type of permanent sign attached to the underside of a colonnade or canopy and protruding over private sidewalks, oriented perpendicular to the sidewalk to be directed toward pedestrian traffic.

**Incidental sign:** A small sign, emblem, or decal located on a building or structure. Such signs are normally located on doors, windows, and gas pumps, and are generally not readily visible or legible from public rights-of-way.

**Inflatable signs:** A sign that is intended to be expanded by air or other gas for its proper display or support.

**Institutional use:** For the purposes of this Chapter, means both the land use category and activities which include the following uses: aquariums, cemeteries, child daycare centers, college or university, convents and monasteries, elementary, middle and high school, both public and private, fire and rescue services, hospital, house of worship, jails and prisons, library, museum, parks and outdoor recreation, including arboretums, wildlife sanctuaries, public forests, public areas for hiking, nature centers, and other passive recreation-oriented parks, post offices, public and/or government buildings, public indoor recreation centers such as government-run natatoriums, solid waste collection sites, wastewater treatment plant, and zoos.

**Internal illumination:** A type of sign lighting accomplished using a source of light that is internal to the sign structure. Halo or back-lit signs are considered internally illuminated signs.

**LED sign:** A type of internal illumination utilizing exposed light-emitting diodes to form some or all of the sign message, where the light source is visible to the viewer.

**Monument sign:** A permanent ground sign in which the entire bottom of the sign face or structure is permanently affixed and in contact with the ground, supported entirely by a base structure and not mounted on a pole or attached to any part of a building.

**Multi-faced sign:** A single sign structure consisting of three or more sign faces that are separated from each other at their nearest point by no more than three feet. Sign faces on a single sign structure that are separated by more than three feet are treated as separate signs.

**Neon sign:** A type of sign internally illuminated or exposed, visible neon tubing. Neon signs shall also include signs similar in appearance but illuminated via other gases or liquids similar to neon. Lighting elements enclosed in covered channel lettering or any other method of concealment shall not qualify as neon signs.

**Nit:** A measurement of brightness equal to the brightness of one foot-candle per square meter, measured perpendicular to the source.

**Nonconforming sign:** Any sign which was lawfully permitted by the jurisdiction of record, and was legal at the time of establishment, but does not conform to the provisions of this Chapter.

**Official sign:** A sign placed by or at the direction of a governmental body, governmental agency, board of education, or other public authority related to its public duties.

**Pennant:** Any lightweight plastic, fabric or similar material designed to move in the wind. Pennants are often suspended from a rope, wire, or string in series. The term "pennant" shall not include a "banner" or "flag" as defined in this Article.

**Permanent sign:** A sign attached to a structure or the ground that is made of materials intended for long-term use. Banners and temporary signs are not considered permanent signs.

**Planned center:** Any commercial, office, industrial or mixed-use development that contains multiple offices, residences, retail or industrial uses, or combination of such uses, with individual entries from a shared private walkway and is managed as a whole.

**Pole sign:** A permanent sign that is mounted on a freestanding pole, pylon, columns, or similar support such that the bottom of the sign face or lowest sign module is not in contact with the ground.

**Projecting sign:** A building sign projecting perpendicularly from the outside wall of the building upon which it is located.

**Property address signs:** Property addresses (including multifamily building or unit numbers) displayed on a building or mailbox.

**Pylon sign:** See Pole sign.

**Roof signs:** A sign attached to or supported by the roof of a building, or a sign that extends into and/or above the immediately adjacent roofline of the building irrespective of attachment point. A sign applied to the fascia portion of a mansard roof, or to the face of a parapet wall, provided that the sign must not extend above the top of the mansard roof or parapet wall, is not considered a roof sign.

**Routed push-through lighting:** A type of internal illumination where the copy projects outward from a panel or cabinet toward the viewer. The stand-off dimension is created by clear acrylic that allows light to penetrate through the sides of the copy only. The sign face and cabinet are opaque, and the copy does not stand-off more than one-inch from the sign

**Sandwich board sign:** A type of temporary sign that is single or double-faced, hinged or un-hinged, and designed to be used on a sidewalk or pedestrian way.

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

**Sign area:** See Section 5.2.1 - Computation of Sign Area for standards of measurement.

**Sign copy:** 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.

**Sign face:** The sign face may be composed of one or more sign modules on the same surface that are separated or surrounded by blank space or by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature.

**Sign height:** The height of a sign shall be equal to the vertical distance from the average grade at the base of the sign, or from the crown of the roadway of the nearest street if the street is within 100 feet of any portion of the sign (when measured perpendicular to the street), to the highest point of any portion of the sign, whichever results in the greater sign height. Any constructed earthen berms and elevated foundations supporting signs, signposts or other sign supports shall be included in the height of the sign.

**Sign module:** Each portion or unit of sign copy that is clearly and physically separated from other such units.

**Signs associated with drive-thru windows:** A type of permanent sign/kiosk that may contain a microphone, ordering screen, and speaker for the purpose of ordering services and products sold on the premises.

**Sign structure:** All elements of a ground sign, including the sign face, background, or decorative elements related to the presentation or support of the sign's message, and the structural supports.

**Sound- or smoke-emitting signs:** See Animated sign.

**Stanchion sign:** See Pole sign.

**Standard informational sign:** A type of temporary sign intended for short-term use, which is mounted on a post, stake or metal frame, or mounted directly on a façade.

**Temporary sign:** A sign designed to be transported or easily relocated and which may not be permanently attached to the ground or building or monument sign base, such as, but not limited to the following:

- A. A sign designed to be temporarily placed upon the ground and not otherwise permanently affixed to it as otherwise required by the building code;
- B. A sign mounted on a building or structure, with or without wheels; or
- C. A sidewalk sandwich board or curb-type sign.

**Tri-vision sign:** A sign designed with a series of triangular slats that mechanically rotate in sequence with one another to show three different sign messages in rotation. For purposes of this Chapter, a tri-vision sign is not a changeable copy sign.

**Variable message sign face:** See Electronic sign face.

**Vehicular sign:** Any sign placed on, mounted on, painted on or affixed to a motor vehicle, freight, flatbed or storage trailer or other conveyance, including signs erected within truck beds or signs wrapped on a vehicle, when same are utilized, placed or parked in such a manner as to be viewed or intended to be viewed from the public right(s)-of-way or neighboring property, except that this definition shall not apply when:

- A. Such conveyances are actively being used to load, transport or unload persons, goods or services in the normal course of business;
- B. When such conveyances are parked in an inconspicuous area such as, but not limited to a loading dock or to the side or rear of a building (away from the street); or
- C. When such conveyances are actively being used for storage of construction materials for, and on the same lot with a bona fide construction project for which building and other applicable permits have been issued and where construction is underway and provided said conveyances are located within designated storage areas.

**Wall sign:** A building sign attached to the wall or surface of a building or structure

**Window sign:** A sign that is placed on or behind a windowpane, glass door, or other transparent material and intended to be viewed from outside the building. This definition is intended to include any decals and clings affixed to the window.

**Window area:** Window area is the term given to an entire assembly comprised of the sash, glazing, and frame or

uninterrupted system of windows. Where a structural or architectural element of the structures interrupts the window or system of windows, it is considered a different window area.

## Division 5.2 - Measurements.

### Section 5.2.1 - Computation of Sign Area

In order to determine compliance with the maximum allowable sign areas permitted under this Chapter; the following shall establish how sign areas are measured.

- A. The area of a sign face shall be computed as the area within the smallest rectangle enclosing the limits of the sign modules, together with any frame or material, texture, or color forming an integral part of the sign face or used to differentiate the sign face from the structure upon which it is placed.
- B. For signs that have no identifiable frame or border, the smallest rectangle that includes all of the sign's words, letters, figures, symbols, logos, fixtures, colors, or other design elements intended to convey the sign's message shall establish the area of the sign.
- C. For signs applied to a kiosk or other cylindrical sign structure, the area of the sign face shall be computed as the largest rectangular area achieved from any one view of the sign. Measurements shall be made as a flat plane rectangle projected on the sign.
- D. For wall and projecting signs, the computation of the area of the sign copy shall include the full sign structure, including channel letters, cabinets, back plates, and any portion of the sign not integral to the structure of the building.
- E. For any changeable copy sign on which any of the words, letters, figures, symbols, logos, fixtures, colors, or other design elements are routinely changed or are intended to be changed from time to time, the sign area shall include the entire area within which any words, letters, figures, symbols, logos, fixtures, colors, or other design elements may be placed, together with any frame or material, texture, or color forming an integral part of the sign face or used to differentiate the sign face from the structure upon which it is placed.
- F. The computation of area of sign copy for all other signs shall not include the structure, supports, or uprights on which the sign face is placed or any portions of a sign structure that are not intended to contain any message or idea and are purely structural or decorative in nature, other than those portions contained within the rectangle that delimits the sign copy or a sign module.
- G. *Treatment of blank spaces.* Any blank space contained within the limits of the rectangle delimiting the sign copy, sign module, or sign structure shall be included in the computation of the area of such sign copy, sign module, or sign structure.

### Section 5.2.2 - Location of Signs

- A. No sign or sign structure shall extend into or above or be anchored or placed in any portion of a public right-of-way except as specifically provided in this Chapter.
- B. See Section 6.5.4 - Intersection Visibility for sight distance and visibility at intersections.

### Section 5.2.3 - Measurement of Distance

Minimum distances required hereunder shall be measured along the shortest straight line from the nearest point on a sign structure to the nearest point on a property line, sign structure, building, or structure to which the minimum distance requirement applies.

## Division 5.3 - Language of Interpretation

### Section 5.3.1 - Reference

For Language of Interpretation, see Division 9.1 - Language of Interpretation of the Zoning Ordinance.