MINUTES
CITY COUNCIL REGULAR MEETING
OCTOBER 4, 2010
5:00 P.M.

CALL THE MEETING TO ORDER: Mayor Joe Lane Cox called the meeting to order at 5:01 p.m.

ROLL CALL: Those present included Council Members Calvin Byrd, Mike Wilson, W. James Grogan, and Mike Sosebee. Staff included Dana Miles, Bonnie Warne, Gary Barr, Trampas Hansard and Russ Chambers.

INVOCATION AND PLEDGE: Invocation was led by Mayor Cox, followed by the pledge.

AGENDA AMENDMENT: Mayor Cox asked for a motion to amend the agenda to add an executive session for the purpose of pending litigation and land acquisition. Motion by Mike Sosebee, seconded by James Grogan.

APPROVAL OF MINUTES: Council approved the minutes from the regular meeting held September 13, 2010. Motion by Mike Wilson, second by James Grogan.

APPROVAL OF MINUTES: Council approved the minutes from the work session meeting held September 27, 2010. Motion by Calvin Byrd, second by Mike Wilson.

OLD BUSINESS:

Annexation of Unincorporated Islands: After continued discussion of annexation of the unincorporated islands within the city limits in stages, a motion was made by Calvin Byrd to start the first phase which would be the original city limits and fill in the unincorporated islands. Second by James Grogan – Vote was unanimously in favor.

Dawsonville History Museum Inc.: Dana Miles wanted to update the council that he has completed the documentation to turn over the nonprofit corporation to the volunteer group, and a copy of the documentation was provided to the volunteers for review.

NEW BUSINESS:

Proclamation - Retired Educator's Day: Dana Miles read the proclamation in to the minutes; the mayor recognized the proclamation and will present it at a later date to the Board of Education. Proclamation is attached hereto as Exhibit "A".

Proclamation recognizing October as National Down Syndrome Awareness Month: Dana Miles read the proclamation in to the minutes; the mayor recognized the proclamation and Dana Miles presented the proclamation to Kathy Shelp and families. Proclamation is attached hereto as Exhibit "B".

Planning Commission Board Member Resignation of Chair: Mayor Cox announced that Claire Sharp is resigning from the Planning Commission; due to moving out of the county. James Grogan motioned to accept the resignation. Seconded by Mike Wilson. The motion carried unanimously. Replacement for the term to be discussed at the next meeting.

Downtown Development Authority Board Member Resignation of Chair: Mayor Cox announced that Cathie Waddell is resigning from the Downtown Development Authority effective immediately due to medical reasons. Motion made to appoint Nick Nicodemus for the remainder of the term by James Grogan. Seconded by Mike Wilson. The motion carried unanimously.

Proposed Budget Amendment: Enterprise Fund - Equipment – 09/10 Fiscal Year: Gary Barr requested authorization to make a budget amendment for the purchase of two pieces of machinery/equipment and a shed. The quote for the two pieces of used equipment is for $19,700 and $23,500 attached as Exhibit "C". The shed will need to be bid out but is approximately $50K.

Calvin Byrd made a motion to amend the budget for the two pieces of equipment at $43,200. Mike Wilson seconded, the motion carried unanimously.

Calvin Byrd made a motion to amend the budget for the 80x40 Shed at $50,000. James Grogan seconded, the motion carried unanimously.

PUBLIC HEARINGS:

Sign Ordinance Amendment: To hear an ordinance to amend the general sign ordinance and the historical district sign ordinance of the City of Dawsonville, Georgia, by repealing the existing general and historical district sign ordinances; to provide for the regulation of signs throughout the city, including the historical district; to provide for severability; to repeal conflicting ordinances; and for other purposes.

Dana Miles opened the public hearing; there were approximately 10 people in attendance. There being no public comment the hearing was closed and the meeting turned back over to the Mayor. Ordinance is attached as Exhibit "D".

The Council voted to pass the ordinance. Wilson/Sosebee. The motion carried unanimously.

Variance Application: To hear the variance application VAR-9-10-19760 by Tim Luther with DeNyse Companies, Inc requesting a sign code exception variance for TMP D04-020-002, 28 Main Street aka C&S Bank.

Mayor Cox presented the variance and opened the public hearing. Tim Luther with DeNyse Signs spoke in favor of the application requesting a 4 ft. sign code exception in height. No one spoke in opposition of the variance. The variance application number VAR-9-10-19760 was approved. Motion by Byrd/Grogan. Motion carried unanimously.

MAYOR'S REPORT:

Mayor Cox announced that the GRHOF Banquet will be on Friday, Oct. 22, 2010 and asked who would like to attend: Mayor & spouse, Sosebee & spouse, Grogan & spouse, Wilson & spouse and Warne & spouse. Need to purchase 10 tickets at half ticket price as quoted by Gordon Pirkle.

STAFF REPORTS:

Gary Barr mentioned that city hall needs some sheetrock repaired from rain damage, and that they have been helping with the Perimeter Road widening and paving. Gary also informed the Council that during the week of Thanksgiving: Nov. 22-26, Allen Street will be blocked to install speed bumps.

COUNCIL REPORTS:

Calvin Byrd reported on the GMRC meeting held in Blairsville. He stated that the main topic was on DOT.

James Grogan announced that he attended the Chamber of Commerce meeting and was the winner of the reverse raffle.

EXECUTIVE SESSION:

At 5:39 p.m. council voted to go in to executive session for the purpose of discussing pending litigation and land acquisition. Motion by Byrd, second by Grogan. The motion carried unanimously.

Mike Sosebee made a motion to come out of Executive Session at 6:26 p.m.; Mike Wilson seconded. The motion carried unanimously.

ADJOURNMENT:

There being no further business to attend to the meeting adjourned at 6:27 p.m. The motion carried unanimously; Grogan/Wilson.

Joe Lane Cox, Mayor

Councilmember Calvin Byrd

Councilmember W. James Grogan

Councilmember Mike Sosebee

Councilmember Mike Wilson

Attested:
Bonnie Warne, City Clerk

STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Joe Lane Cox, Mayor, Calvin Byrd, Council Member; James Grogan, Council Member; Mike Sosebee; Council Member and Mike A. Wilson, Council Member; being duly sworn, state under oath that the following is true and accurate to the best of their knowledge and belief:

1.

The City of Dawsonville Council met in a duly advertised meeting on the 4 day of October, 2010.

2.

During such meeting, the Board voted to go into closed session.

3.

The executive session was called to order at 5:39 a.m. (p.m.)

4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

✓ Consultation with the City Attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the City or any officer or employee or in which the City or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

_____ Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____;

✓ Discussion of future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

_____ Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a City officer or employee as provided in O.C.G.A. § 50-14-3(6);

_____ Other_____ as provided in:_____.

This 4 day of October, 2010.

City of Dawsonville, Mayor and council

Joe Lane Cox, Mayor

Calvin Byrd, Council Member

W. James Grogan, Council Member

Mike Sosebee, Council Member

Mike A. Wilson, Council Member

Bonnie Warne, City Clerk
Notary Public

Sworn to and subscribed before me this 1 day of November, 2010.

My Commissioner expires: June 14, 2013

Proclamation

Retired Educators Day
In Georgia
November 7, 2010

WHEREAS: The Governor of the state of Georgia has proclaimed the day of Sunday November 7, 2010 as Retired Educators Day in Georgia; and

WHEREAS: There are more than 72,000 retired educations in Georgia, 20,000+ of whom are members of the Georgia Retired Educators Association; and

WHEREAS: The retired educators of Georgia donate thousands of hours to volunteer service and make invaluable contributions to the welfare of their respective communities across the state; and

WHEREAS: It is appropriate that a day be designated for citizens to express their appreciation for the contributions that retired educators have made and continue to make the betterment of human lives and for society; and

WHEREAS: Local churches will recognize those lasting contributions made by retired Educators in this community; now

THEREFORE: I, Joe Lane Cox, Mayor of Dawsonville, Georgia do hereby proclaim the day of November 7, 2010, as "RETIRED EDUCATORS DAY IN GEORGIA" and I call upon the citizens of Dawsonville to observe that day in an appropriate manner honoring retired educators.

Given unto my hand and seal at Dawsonville, Georgia on this 4 **day of** October **in the year of our Lord 20**10**.**

Joe Lane Cox, Mayor

Attest:

Bonnie Warne, City Clerk

Exhibit "A"

Proclamation

Recognizing October as National Down Syndrome Awareness Month

Whereas, individuals with Down syndrome are active citizens who contribute much to the overall quality of life in this community; and

Whereas, greater public awareness and acceptance of these persons will increase their access to education, employment, housing and social and recreational opportunities; and

Whereas, it is the desire of our community to create a place where all people can explore and develop their varied abilities, can enjoy productive work, and can contribute by meaningful participation in the life of the community; and

Whereas, the City of Dawsonville, on behalf of the National Down Syndrome Congress, has worked to secure this proclamation; and

Whereas, it is the goal of the City of Dawsonville to instill positive perceptions of people with Down syndrome;

Now therefore, I Joe Lane Cox, do hereby designate October 2010 National Down Syndrome Awareness Month and encourage all our citizens to promote positive awareness and greater opportunities for persons with Down syndrome, and challenge the citizens of our community to look beyond a person's particular disability, and focus instead upon each person's diverse abilities and contributions to the community.

In Witness Whereof, I have set my hand and seal this 4th day of October, 2010.

Honorable Joe Lane Cox
Mayor, City of Dawsonville

Attested to:

Bonnie Warne, City Clerk

Exhibit "B"

MASON TRACTOR CO.

www.masontractor.com

1050 Appalachian Hwy.
P.O. Box 458
Blue Ridge, GA 30513
(706) 632-3777

2510 Dahlonega Hwy.
P.O. Box 166
Cumming, GA 30028
(770) 887-6119

395 Industrial Blvd.
P.O. Box 2589
McDonough, GA 30253
(770) 957-3370

Date: 9/16/10

CUSTOMER INFO:

Name: City of Mansonville
Address:
Gary Barr
Phone:
Cell:

NOTES:

SALES: N/U	DESCRIPTION	SERIAL #	STOCK #	PRICE
U	Takeuchi TL130			
	Approx 862HR			23500
	New ENG (Bottom End) 6 month on Eng			
	New Tracks 1000 HR Warranty			
	67" tooth Bucket			
U	Takeuchi TB125 Excavator			(19700)
	w/ ① Bucket Approx	1132 HR		
			SALES TOTAL: $	

TRADE-IN:	DESCRIPTION	SERIAL #	STOCK #	PRICE
U	Takeuchi TB125 Excavator			16500
	w/ Tracks w/ Bucket Approx	1658 HR		

SETTLEMENT	DOWN PAYMENT $

CASH / CHECK / FINANCE
USAGE: AG / CONST
SALES TAX: YES / NO RATE:_____%
INSURANCE: YES / NO
TERMS:_____
PROGRAM: STD. RATE_____ LOW APR_____
CUSTOMER:_____
SALESMAN:_____

TRADE IN TOTAL:	$
SUB TOTAL:	$
SALES TAX:	$
UCC FILING / DOC FEE: For Finance Deals Only	$
TOTAL:	$

EXHIBIT "C"

FIRST READING August 2, 2010

PUBLISHED July 21+28, 2010
September 1, 8, 22, 29, 2010

SECOND READING & PASSED October 4, 2010

SIGN ORDINANCE OF THE CITY OF DAWSONVILLE

AN ORDINANCE TO AMEND THE GENERAL SIGN ORDINANCE AND THE HISTORICAL DISTRICT SIGN ORDINANCE OF THE CITY OF DAWSONVILLE, GEORGIA, BY REPEALING THE EXISTING GENERAL AND HISTORICAL DISTRICT SIGN ORDINANCES; TO PROVIDE FOR THE REGULATION OF SIGNS THROUGHOUT THE CITY, INCLUDING THE HISTORICAL DISTRICT; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the requirements of the Zoning Procedures Act, the Mayor and Council of the City of Dawsonville have conducted a properly advertised hearing on the proposed amendments to the General Sign Ordinance and the Historical District Sign Ordinance;

WHEREAS, after the aforementioned public hearing, the Mayor and Council have determined that adoption of the amendment would be in the best interests of the residents, property owners, businesses and citizens of the City of Dawsonville;

WHEREAS without a sign ordinance, signs can pose a danger to public safety;

WHEREAS it has long been recognized that signage controls are needed to promote traffic safety and avoid traffic accidents;

WHEREAS a 1980 Federal Highway Administration study found a positive correlation between billboards and accident rates (Scenic America. Fact Sheet (1): Billboard Control: Fighting Visual Pollution. http://www.scenic.org/fact1.htm.);

WHEREAS signs too close to the road can contribute to accidents by, among other things, being placed dangerously close to rights-of-ways in locations where they might be struck by an oncoming vehicle, impairing visibility, interfere with the sight of motorists and distracting motorists;

WHEREAS traffic safety is improved by restricting the size, height, and spacing of signs;

WHEREAS signs can confuse motorists by mimicking traffic safety signals and signs;

EXHIBIT "D"

WHEREAS the size, height, materials of construction, location, condition, and attributes of signs can have an impact on surrounding and nearby land uses, and may detract from the value and usability of adjacent tracts of land, especially when a proposed sign use is inconsistent with neighboring land use;

WHEREAS unregulated signage can degrade the utility of public safety signs and can reduce the effectiveness of signs needed to direct the public due to competition with other signs;

WHEREAS sign regulation is in the interest of businesses in that it can assist in promoting clear communication between signs and the public;

WHEREAS development in the City's historical zoning district is unique from other areas of the City due to its history, architecture, cultural heritage, and integrity;

WHEREAS the City's historical zoning district substantially contributes to the economic vitality of the City;

WHEREAS the City's historical zoning district is unique because of the compactness of buildings and businesses, the geometry of public roads and intersections, and its special mixture of pedestrian and slower speed vehicular traffic;

WHEREAS regulation of signs serves the aesthetic value of the overall community, helping to preserve the natural beauty of the surrounding landscape as well as historical areas, while at the same time balancing those concerns against the need to communicate information to the public; and

WHEREAS it is within the powers granted to the City of Dawsonville to regulate matters affecting the health, safety, welfare, and aesthetic concerns of the City.

NOW THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED by the Mayor and Council of the City of Dawsonville, a political subdivision of the State of Georgia, that the General Sign Regulations of the City of Dawsonville, Georgia and the Historical District Sign Regulations of the City of Dawsonville, Georgia are hereby amended by deleting them in their entirety and inserting a new Sign Ordinance to read as follows:

ARTICLE I

Section 1) Repeal of Prior Ordinances: That ordinance of the City of Dawsonville adopted on May 3, 2004 governing signs generally, the same being amended from time to time, is hereby repealed in its entirety including all amendments thereto, and in its place is adopted this new Sign Ordinance for the City of Dawsonville, Georgia. That ordinance of the City of Dawsonville adopted on September 23, 1997 governing signs in the historical zoning district, the same being amended from time to time, is hereby repealed in its entirety including all amendments thereto, and in its place is adopted this new Sign Ordinance for the City of Dawsonville, Georgia.

ARTICLE II

Section 1) Findings and Purposes:

a) Provide a reasonable balance between the right of an individual to identify or promote his or her business and the right of the public to be protected against the visual discord and safety concerns resulting from the unrestricted proliferation of signs and similar devices.
b) Permit the reasonable dissemination of speech.
c) To forestall visual blight within the City by regulating, through content neutral time, place and manner restrictions, signs such that they minimally detract from the aesthetic quality of life and traffic safety in the City for residents, businesses, pedestrians, and persons traveling in vehicles.
d) Protect the public health, safety and general welfare while protecting the rights of sign owners to expression and identification.
e) Promote economic development.
f) Protect property values by minimizing the possible adverse effects and visual blight caused by signs.
g) Facilitate sign usage such that signs are compatible with adjacent land uses and with the total visual environment of the community.
h) Encourage signs that are well designed and compatible with their surroundings and with the buildings to which they are appurtenant, and encourage signs that are integrated with and harmonious to the buildings and sites they occupy.
i) Eliminate excessive and confusing sign displays.
j) Preserve and improve the appearance of the City as a place in which to live and to work and as an attraction to nonresidents who come to visit or trade.
k) Encourage creative and well-designed signs that contribute in a positive way to the City's visual environment, express local character, and help develop a distinctive image for the City.
l) Encourage new and replacement signage that is appropriately sized in its context so as to be easily readable.
m) Encourage the construction, alteration, and repair of signs according to accepted and approved standards.
n) Ensure the fair and consistent enforcement of sign regulations.
o) Preserve the public health, safety and welfare by requiring signs that are dilapidated or otherwise unsafe to be repaired or removed.

Section 2) Authority, adoption, and scope: This article is adopted to serve substantial governmental interests of correcting and avoiding multiple problems that would occur without the regulation of signs. The regulations contained herein are no more extensive than necessary to serve the substantial governmental interests identified in this article. It is not the intent of this article to foreclose important and distinct mediums of expression for political, religious or personal messages. Furthermore, it is not the intent of the City, nor its Mayor and Council, committees, or agents, to regulate, in any manner, the message content of signs, except to the extent of obscenity or other messages prohibited by state or federal law.

Section 3) Definitions: for the purposes of this article, certain terms and words are hereby defined. As used in this article, unless the context otherwise indicates, the following words and terms shall have the following meaning ascribed to them:

Alterations: Alterations, as applied to a sign, means a change or rearrangement in the structural parts or its design, whether by extending on a side, by increasing in area or height, or in moving from one location or position to another.

Animated sign: A sign with action, motion, sound, or changing colors. This includes signs that blink, flash or fluctuate lights or other illuminating devices which have a changing light intensity, brightness or color; provided however, that this definition does not include automated changeable copy signs as defined by this article.

Area of sign: The area within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure of similar character together with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such writing, representation, emblem or any figure of similar character from the background against which it is placed. For double-faced signs, only the largest display face shall be measured in computing the sign area.

Automated changeable copy sign: A sign, usually freestanding, containing copy that changes at intervals.

Banner: A sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, or fabric of any kind with only such material for a backing. For purposes of this article, a banner is a sign.

Billboard: A freestanding sign with an area of 300 square feet or greater, which is supported by one or more columns, uprights, or braces in or upon the ground and is neither attached or erected in support of a building and is neither movable nor temporary.

Building face or wall: All window and wall area of a building in one place or elevation.

Canopy: A roofed structure constructed of fabric or other material placed so as to extend outward from a building providing a protective shield for doors, windows, and other openings, supported by the building and support extended to the ground directly under the canopy or cantilevered from the building.

Changeable copy sign: A sign which is characterized by changeable copy, whether such sign is a freestanding sign or a wall sign, or whether such sign projects from and is supported by a building.

Commercial and industrial zoning districts: For the purposes of this article the following zoning districts as described and defined in the City of Dawsonville Zoning Ordinance are classified as commercial and industrial: NB, HB, CBD, INST, O, LI, and CIR. Additionally, any zoning district created after the adoption of this article will be classified

as a "residential," or "commercial and industrial" zoning district, by the Director of Planning and Zoning depending on the characteristics of the new zoning district.

Community or civic event: A "community or civic event" shall be defined as a public event which is of interest to the community as a whole rather than the promotion of any product, political candidate, religious leader, or commercial goods or services.

Dawsonville Historical District: This area is designated as the original Town of Dawsonville under the laws of the City's land use ordinance, and as approved by the City Council on February 1, 1994. Specifically, this district includes all of Land Lot 440 of the Fourth District, First Section of Dawson County, Georgia, according to the original plan.

Directional sign (guide signs): Signs which serve as directional guides to recognized areas of regional importance and patronage. To clarify and define such areas of regional importance and patronage, two types of areas are intended to be included:

(1) Recreational and entertainment centers of recognized regional significance.
(2) Historical landmarks.

Director of Planning and Zoning: For the purposes of this ordinance, the Director of Planning and Zoning shall mean the Director of Planning and Zoning for the City of Dawsonville, Georgia. In the event that there is no Director of Planning and Zoning, the Mayor shall designate a person to serve as interim Director of Planning and Zoning for the purpose of this ordinance.

Discontinued sign: A sign intended to identify, announce, direct, inform, or bring to the attention of others a subject that has been discontinued.

Distance: Distance shall mean that span between two or more signs subject to a distance regulation, and shall be a radial measurement from the base of one sign to the base of another sign. For the purpose of determining distance between two or more signs, whether any given existing or permitted sign is within or without the corporate boundaries of the City of Dawsonville shall not factor into whether a proposed sign complies with the distance requirements of this ordinance.

Double-faced sign: A sign which has two display areas against each other or where the interior angle formed by the display areas is 60 degrees or less, where one face is designed to be seen from one direction and the other face from another direction.

Drive-thru sign: A sign which customers view while remaining in their vehicle when purchasing products or otherwise interacting with a business using a drive up window.

Expression sign: A type of sign, not otherwise specifically defined and permitted in this article, which involves the expression of any idea that could be characterized as free speech, and which is not related to a particular use of land or use upon a parcel of land. Expression signs may include, but are not necessarily limited to signs advocating for or against political candidates, and signs related to issues of public concern.

Flashing sign: Any sign, except those defined by this article as an "automated changeable copy" sign, which is not kept constant in intensity of illumination at all times when in use, and which exhibits marked changes in lighting effects. For the purpose of this article, flashing signs do not include those signs which only scroll information, even though constant intensity of illumination may not be maintained.

Freestanding Sign: A type of sign supported by any structure or support placed in or anchored in the ground and not attached to any building or structure.

Height of sign: The distance in vertical feet from the ground to the highest point of the sign face.

Home Occupancy Permit Sign: a non-illuminated, professional or business nameplate not exceeding two square feet in area which designates a legally operating home occupation.

Lot: A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon. For the purpose of this ordinance, a lot shall be the same thing as a parcel.

Low-profile sign: An on-premises identification sign having a maximum height of five feet.

Monument sign: A freestanding sign where the base of the sign structure is on the ground. The width of the sign structure can be no more than 120 percent of the width of the base.

Multi-Faced Sign: A pylon sign containing more than two sign faces which sign faces contain cumulative more than three hundred square feet of sign face area.

Nonconforming sign: Any sign or advertising structure that lawfully existed on the effective date of this article but which does not conform to the provisions of this article.

Off-premises sign: A sign which directs attention to a building, profession, product, service, industry, entertainment, or other activity not conducted, sold, or offered on the premises upon which the sign is located or to which it is affixed.

On-premises sign: A sign which directs attention to a building, profession, product, service, industry, entertainment, or other activity conducted, sold, or offered on the premises upon which the sign is located or to which it is affixed.

Permittee: A person and/or entity erecting a sign on the property of an owner and/or permittee.

Portable sign: A sign which is not permanently affixed or mounted, not including sidewalk signs, defined infra.

Projecting sign: A sign attached to a building or other structure and extending in whole or in part more than six inches beyond any wall of the building or structure.

Public property: Public property shall mean any property owned by governmental entity.

Pylon sign: A freestanding sign that rests upon a pylon or pole(s), said signs to include but not be limited to billboards.

Residential zoning district: For the purposes of this article the following zoning districts as defined and described in the City of Dawsonville Zoning Ordinance are classified as residential: R-1, R-2, R-3, R-6, R3R, and RMHT. PUD shall be classified as residential, except that the Mayor and Council have discretion in the commercial areas of the PUD to treat those commercial areas as commercial and industrial zoning districts for the purposes of this ordinance on a case-by-case basis. Additionally, any zoning district created after the adoption of this article will be classified as a "residential," or "commercial and industrial" zoning district, by the Director of the Department of Planning and Zoning, depending on the characteristics of the new zoning district.

Roof sign: A sign projecting above the coping of a flat roof, above the ridge of a gable, hip or gamble roof, or otherwise located more than 12 inches above the front building wall and supported by or attached to said roof.

Sidewalk sign: A movable sign not secured or attached to the ground or surface upon which it is located, which is placed within a pedestrian sidewalk, which sign shall not be of a size or configuration such that it blocks or unnecessarily impedes pedestrian use of a sidewalk.

Sign: A lettered, numbered, symbolic, pictorial, or illuminated visual display, device, or communication designed or used for the purpose of identifying, announcing, directing, informing, or bringing to the attention of others the subject thereon, which is visible from the public right-of-way of a City, county, or state road.

Sign face: That part of a sign that is or can be used for communicating a message.

Solicitation sign: Sign used to advise solicitors that they are not welcome on the property.

Stacked Sign: A pylon sign which contains two sign faces arranged one on top of the other, irrespective of the size of those sign faces.

Structure: The supports, uprights, bracing, guy rods, cables, and framework of a sign or outdoor display.

Temporary sign: A sign of a nonpermanent nature.

Theater marquee: A permanent structure with changeable letters, which is used to advertise theater events.

Time, place, and manner restriction: Regulations to protect governmental interests unrelated to speech, such as size, shape, location, appearance, and number. Time, place, and manner restrictions on signs have a content neutral effect on speech.

Trailer sign: Any sign mounted on wheels and that may be moved from one location to another, but expressly not including such signs to the extent they are participating as a float in a parade.

Urban Redevelopment Plan Area: The geographic area of the Urban Redevelopment Plan as designated by Resolution and Ordinance, as adopted by the Mayor and City Council on September 12, 2005.

Vehicle sign: a vehicle with lettering or graphics on any display on top of or in the bed of the automobile or truck.

Wall sign: A sign applied to or mounted to the wall or surface of a building or structure, the display surface of which does not project more than 24 inches from the outside wall of such building or structure. The total lettering on one side of a building or structure shall constitute one wall sign. Wall Signs shall not occupy more than twenty-five percent of the square footage of the front side of a building, and not more than fifty percent of the square footage of the side or rear of a building.

Window sign: A window sign is any type of sign which is located on the interior of a business premises that is either attached to or located immediately adjacent to an exterior window and is intended primarily to be viewed from the exterior of the premises. Glass exterior doors are considered to be windows.

Section 4) Jurisdiction: the provisions of this article shall apply to all signs erected within Corporate Limits of the City of Dawsonville. Except as specifically exempted herein, all signs or changes to existing signs shall require a sign permit.

Section 5) Sign permit application: Applications for sign permits shall be filed by the sign owner or his agent in the Department of Planning and Zoning upon forms furnished by said office. The application shall describe and set forth the following:

a) A design of the sign, including designation of the type of sign, which shows the height of the sign, the area of the face of the sign, and the structural supports of the sign.
b) The street address of the property upon which subject sign is to be located.
c) A survey of the property on which the sign will be located. The survey shall include the proposed sign location and the distance from the proposed sign to property lines, structures, paved street surface, existing signs, and right-of-way.
d) The square foot area per sign face and the aggregate square foot area if there is more than one sign face.

e) The name(s) and address(es) of the owner(s) of the real property upon which the subject sign is to be located, and the consent of the owner, or his agent, in writing, granting permission for the placement or maintenance of subject sign.
f) Name, address, and phone number of the individual or entity erecting the sign.
g) The Director of Planning and Zoning may require additional information to insure compliance with this article.
h) The sign permit fee shall be $100.00, or such other amount as may be determined by the Mayor and Council by resolution.

Section 6) Building permit required:

a) For any monument sign, pylon sign, or any sign connected to electrical power, a building permit is required before posting, displaying, substantially changing, or erecting such signs, unless such signs are otherwise specifically exempted from regulation by this ordinance.
b) The applicant for a building permit shall submit application materials as specified by the Director of the Department of Planning and Zoning, including a sketch or print drawn to scale showing pertinent information such as wind pressure requirements and display materials in accordance with the Standard Building Code.
c) Signs requiring a building permit shall comply with all applicable construction codes, including but not limited to building codes and electrical codes, which are effective in the City of Dawsonville at the time the building permit is sought.
d) Building permit fees shall be as set forth in the Zoning and Building Regulation Code of the City of Dawsonville Code of Ordinances.

Section 7) Process for issuance of sign permits:

a) The Director of Planning and Zoning shall be authorized to issue all sign permits which are in accordance with the provisions of this Ordinance. The City shall process all sign permit applications within thirty (30) days of the City's actual receipt of (1) a complete sign permit application and (2) the sign permit fee. For purposes of this section only, the term "process" shall mean to (1) make a decision on sign permit applications that can be administratively approved or denied, or (2) bind over the decision on the sign permit application to the Mayor and Council of the City of Dawsonville. In no event, except with written permission of the applicant, may the Director of Planning and Zoning delay processing a sign permit application. The failure to process a sign permit application within thirty (30) days of the City's actual receipt of a completed sign permit application accompanied by the sign permit fee and building permit fee (if applicable) without the written permission of the applicant shall result in the sign permit request being automatically granted.
b) For the purpose of administering and issuing approved sign permits, such permits shall be issued in writing, and may be obtained from the Department of Planning and Zoning during its hours of operation once the sign permit has been approved.
c) The Director of Planning and Zoning shall reject any application containing any omissions, false statements, or which is not accompanied by the applicable sign permit fee and building permit fee (if applicable). The Director of Planning and Zoning shall deny any application which, in his determination, fails to comply with the requirements of this ordinance, or which fails to seek a variance required for the sign to be permitted as

proposed. Any rejected or denied application later resubmitted shall be deemed to have been submitted on the date of re-submission, instead of original submission date. Should it be determined that a sign permit was issued pursuant to an application containing a false material statement or omission, the Director of Planning and Zoning shall revoke said application and the subject sign shall be removed. A revocation pursuant to this section shall be appealable pursuant to this article.

d) It is understood that certain signs may not fall strictly into the parameters established by the specifications of this ordinance. These cases must be considered in relationship to the stated goals and intent of the entire ordinance. The Director of Planning and Zoning shall have the authority to make decisions on all applications based upon specifications of this ordinance relative to the intent, goals, and purposes of this ordinance.

e) Administrative Approval and Denial

   i) For the purpose of administering this ordinance, permit applications which can be "administratively approved" are those which, in the determination of the Director of Planning and Zoning, comply with all requirements of this ordinance and which do not require any variances from the terms and performance standards of this ordinance. For the purpose of administering this ordinance, permit applications which can be "administratively denied" are those which, in the determination of the Director of Planning and Zoning, fail to comply with all requirements of the ordinance or which would require a variance from the terms or performance standards of this ordinance, but the Applicant failed to apply for any such variance.

   ii) In the following circumstances, the Director of Planning and Zoning may bind over a decision on a sign permit application to the Mayor and Council of the City of Dawsonville:

      (1) The Director is unable to reach a determination as to whether the application complies with the terms of this ordinance.

      (2) The application seeks variances to the terms or performance standards of this ordinance which will require the approval of the Mayor and Council in any event.

f) Decisions Bound Over: In the event that the Director of Planning and Zoning binds over a decision on a sign permit application to the Mayor and Council of the City of Dawsonville, then the following procedures shall control.

   i) The Mayor and Council shall hold a public hearing on the sign permit application request at the next regularly scheduled meeting of the Mayor and Council of the City. At this same hearing, the Mayor and Council shall hear any and all variance requests related or pertaining to the sign permit application. Public comment on the sign permit application and any variances related to the same shall be limited to ten (10) minutes for those speaking in favor of the sign, and ten (10) minutes for those speaking in opposition to the sign.

   ii) At the conclusion of the public hearing, the Mayor and Council shall render a decision on the sign permit application, and in so doing shall direct the Director of Planning and Zoning for the City to either issue the permit, issue the permit with conditions, or deny the permit. The Director of Planning and Zoning shall comply with the directive of the Mayor and Council within two (2) business days of the meeting at which the decision on the application was made.

g) Appeals of decisions made pursuant to this section may be filed in accordance with § 8, *infra.*

Section 8) Appeals and Variances authorized:

a) Any person aggrieved by any decision of the Director of Planning and Zoning or other official with authority to administer or interpret this code may be taken to the Zoning Board of Appeals for the City of Dawsonville. Unless inconsistent with the procedures outlined by this ordinance, such appeals will follow the requirements and procedures defined in the Zoning Ordinance of the City. Where the denial of any sign permit is appealed, it shall be set down for consideration at the next meeting of the Zoning Board of Appeals. A final determination shall be issued by the appellate body within sixty (60) days from the date that the appeal is formally filed in writing by the sign applicant. Appeal from the decision of the Zoning Board of Appeals shall be filed with the Superior Court of Dawson County.

b) Variances to the performance standards delineated in this ordinance may be granted by the Mayor and Council of the City if sought by the applicant for a sign needing such a variance. Variances must be requested on forms provided by the Department of Planning and Zoning, and are subject to such additional fees as may be set by the Mayor and Council of the City from time to time. Variances will be considered by the Mayor and Council along with the permitting procedures discussed in § 7 *supra.*

   i) A variance may be granted in an individual case of extreme and unusual hardship upon a finding by the city council that the following conditions exist:
      (1) There exist extraordinary and exceptional conditions pertaining to the property in question resulting from its size, shape, or topography which are not applicable to other lands or structures in the area.
      (2) The failure of the city council to allow a variance would deprive the applicant of a right currently enjoyed by other similar properties in the city.
      (3) Granting the variance request will not confer upon the property of the applicant significant privileges which are denied to other similar properties in the city.
      (4) The requested variance will be in harmony with the purpose and intent of this article and will not be injurious to the neighborhood or to the general welfare.
      (5) The variance is not a request to permit a type of sign which otherwise is not permitted in the zoning districts involved.
   ii) Variances will only be permitted to add, at maximum, ten (10) feet to the height of a sign.

c) The variance application fee shall be $300.00 or such other amount as may be determined by the Mayor and Council by resolution.

Section 9) Sign permit expiration date: A sign permit shall become null and void if the construction or installation of the sign for which the permit was issued has not been completed within 12 months after the date of issuance. No refunds will be made for a permit after the permit is issued. If an individual or entity desires to erect a sign at the same location after the expiration of a permit, a new application for the sign must be processed and another fee paid in accordance with the fee schedule and sign ordinance applicable at such time.

Section 10) Inspection: the Director of Planning and Zoning, or his designee, shall have the right to inspect all existing and future signs in the City of Dawsonville to determine (1) whether such signs are in compliance with this ordinance (or in the case of legal non-

conforming signs such ordinance as governs said signs) and (2) whether the signs are in such condition as is conducive to maintain the public's health, safety, and welfare. All signs which are found to be in an unsafe condition in the determination of the Director of Planning and Zoning shall be addressed in accord with § 17, *infra.*

Section 11) Termination of sign permit and/or City occupation license:

a) Violation of any provision of this article shall be grounds for terminating the sign permit granted by the City to the owner.
b) Except as otherwise provided in this ordinance, no permit shall be suspended, revoked or canceled except for cause as hereinafter defined. Prior to any such action, the permittee shall be granted a public hearing before the Mayor and Council of the City at its next regularly scheduled meeting, if sufficient time exists to provide notice to the permittee pursuant to subsection (d) below, and if not, then at the following regularly scheduled meeting.
c) "For cause" is defined as the violation of any provision of this ordinance.
d) The permittee will be given at least ten (10) days written notice mailed to the address on file with the City for the sign of the time, place and purpose of any public hearing at which its sign permit may be suspended, revoked, or canceled, with a statement of the reason for the proposed action.
e) The termination of the permit does not in any way preclude the person or persons alleged to have violated the provisions of this ordinance from being assessed fines under the terms of this ordinance, tried under the enforcement provisions of this ordinance, nor does it preclude the City from taking any other action authorized by the Code of the City of Dawsonville, Georgia, and/or any other action authorized by law.

Section 12) Removal of discontinued signs: It is the intent of this ordinance to establish reasonable time periods for the removal of discontinued signs.

a) Generally:
    i) For purposes of this section, all signs pertaining to a business, service, institution, industry, or other activity that ceases operations shall be deemed to be discontinued signs.
    ii) For purposes of this section, "ceases operations" shall refer to those situations where there is substantial evidence that a business or activity has vacated the building or grounds; provided further that this section shall not apply to any case where a business or activity is temporarily suspended and there is evidence that the business or activity will resume operations within a specifically designated period.
    iii) It shall be the responsibility of the property owner, the operator of a business or activity discontinuing a lease if any, and the leasehold manager if any, to ensure compliance with the provisions of this section and each such person or entity shall be considered individually responsible for compliance with this section.
b) All discontinued signs, with the exception of pylon signs and monument signs, shall be removed within thirty (30) days from the date of discontinuance. The Director of Planning and Zoning may permit an extension of this removal period only in cases where special equipment is needed to remove the sign and removal of the structure cannot reasonably be arranged by the sign owner within the thirty (30) day time period.

c) All discontinued signs that meet the definition of a pylon sign shall be removed within 60 days from the date of discontinuance. The Director of Planning and Zoning may permit one 30-day extension of this removal period only in cases where special equipment is needed to remove the sign or sign structures, and removal of the structure cannot reasonably be arranged by the sign owner within the 60-day time period.

d) This section shall not apply to the structure of a monument sign, provided that it might reasonably be used by a future tenant or property owner, complies with the provisions of this ordinance, and the sign is maintained in good condition; provided further, that the following shall be met:

   i) If a discontinued monument sign contains a message panel that is removable from the monument structure without disassembling the monument, then within 30 days of the date of discontinuance said panel shall be removed and the portion of the monument structure that previously held the message panel shall be covered with durable cloth, canvas or other suitable material for the pertinent sign which material shall be approved by the Director of Planning and Zoning to avoid the appearance of blight, until such time as a new sign permit is applied for and granted and an approved sign panel is installed in said monument.

   ii) If a discontinued monument sign contains a sign copy area that is not removable without disassembling the monument, then said sign copy area shall be modified (e.g., painted over or covered with durable cloth, canvas or other suitable material for the pertinent sign which material shall be approved by the Director of Planning and Zoning), so that the sign copy pertaining to the business or activity discontinued is no longer visible, until such time as a new sign permit is applied for and granted and approved sign copy is affixed on the sign copy area of said monument.

Section 13) Maintenance of Signs:

a) Removal of signs not maintained: All signs shall be maintained by the property owner in good condition so as to present a safe condition, as well as a neat and orderly appearance. The Director of Planning and Zoning or his designee will give the owner thirty (30) days written notice to correct the deficiencies or to remove the sign or signs, except signs which pose a threat to public safety which shall be removed in accord with § 17, *infra*. Said written notice may be made by U.S. Mail sent to the permit holder and owner of the property upon which the sign is located at the address on file with the City. The Director of the Department of Planning and Zoning may remove or cause to be removed after written notice to the permit holder and property owner at the address on file with the City any sign that has not been timely removed after being discontinued as set forth in § 12, or which shows gross neglect, becomes dilapidated, or in the opinion of the Director or his designees poses a threat to public safety. If the owner refuses to correct the deficiencies or remove the sign, the Director of Planning and Zoning or his designee will have the sign removed, and the City shall be entitled to a lien for the cost of removal against the lot or parcel upon which the sign existed before removal.

b) Maintaining Messages and Copy on Signs: Signs may not lack copy or a message for in excess of thirty (30) days. In the event a sign lacks copy or a message for in excess of thirty days, the owner of said sign shall cause the sign to bear copy or a message, cover the sign as provided supra or remove the sign. It is the intent of this provision to avoid

the visual blight which accompanies vacant and un-maintained sign copy and/or messages.

Section 14) Relocation Costs

a) As to all signs permitted after the effective date of this Ordinance Amendment, the owner of the land, the permit holder, their successors and assigns shall and by applying for a permit agree to be responsible for all costs of relocation of said sign and shall waive any claim for the value of the land with a sign located upon it in the event that any road or right of way is expanded in the City of Dawsonville that necessitates relocation or loss of the sign at the permitted location.

b) All permits issued for signs under this ordinance shall be conditioned upon the land owner, permit holder and their successors and assigns being bound to incur said relocation costs and waiving any claim of damages or vested rights in the sign due to road or right of way expansion which requires relocation or total loss of the sign. All sign permit applications and all sign permits shall have the following legend imprinted thereon: Acceptance of this permit and erection of the sign approved herewith shall irrevocably bind the owner of the land, the permit holder, their successors and assigns (hereinafter collectively the "Permit Holder") to pay any and all costs of relocation of the sign in the event that the City or other governmental entity expands the road or right of way adjacent to the sign. The Permit Holder agrees that it acquires no vested rights in the sign on the property location and agrees to make no claim for condemnation, inverse condemnation or other loss or damage as a result of the inability of Permit Holder to maintain a sign at this location. The Permit Holder agrees that the permit is a conditional license that may be revoked by the City at any time due to the need for road or other utility improvements, and that the Permit Holder has taken all of these factors into consideration when buying or leasing the land upon which the sign will be located and when designing, constructing and maintaining the sign.

Section 15) Enforcement. This article shall be administered and enforced by the Director of Planning and Zoning or his or her designee as follows:

a) In case any sign is proposed to be erected, constructed, altered, converted, or used in violation of any provision of this article, the Director of Planning and Zoning may, in addition to other remedies, and after notice to the appropriate person, issue a citation for violation of the City ordinance thereby requiring the presence of the violator in municipal court; institute the filing of a petition for an injunction, or other appropriate action or proceeding to prevent such unlawful erection, construction, alteration, conversion, or use to correct or abate such violation.

b) The Director of Planning and Zoning may have the sign removed at the expense of the owner and may issue a citation for violation of the City ordinance to the owner, the person or entity erecting, installing or placing the sign, as well as those parties whose name, message, and/or address, and/or telephone number appear on the sign.

   i) Before removing a sign, the Director of Planning and Zoning shall give written notice via U.S. Mail of the pending removal to the permit holder and property owner upon whose property the sign is located at the addresses on file with the City.

ii) In the event that any or all of the aforementioned entities or individuals are not readily ascertainable by the Director of Planning and Zoning, then the sign may be removed without such attempt at notice being required.

c) Any sign located within a public street right-of-way may be removed immediately by the City without warning or notice to the sign owner.

d) All costs of enforcement shall be paid by the sign owner, the permittee, and/or the property owner, shall constitute a lien upon the lot or parcel upon which the sign existed, and shall be paid in full with interest at the legal statutory rate prior to any new sign permits being issued for that lot or parcel.

Section 16) Penalty for violation: Any person violating any provision of this article ordinance shall be subject to a fine up to $200.00 per violation or by imprisonment for a period not to exceed 60 days, or both. Each day for which a violation of the ordinance exists shall be a separate violation of the ordinance. Jurisdiction lies in the Municipal Court of Dawsonville, Georgia.

Section 17) Nonconforming signs and threats to public safety. Nonconforming signs that met all legal requirements when erected may stay in place until the deterioration of the sign or damage to the sign makes it a threat to public safety, and no repairs have been effected within thirty (30) days of written notice via U.S. Mail to the permit holder and property owner from the Director of Planning and Zoning directing that immediate repairs are necessary to protect public safety. Any sign removed in accord with this section, or §§ 13 and 15, shall not be replaced except through a new application under the then current sign ordinance.

ARTICLE III: GENERAL SIGN REGULATIONS

Section 1) Applicability: These General Sign Regulations shall apply in all zoning districts of the City. However, in the event of a conflict between this Article and Article IV as applied to properties within the Historical District or the Urban Redevelopment Plan Area, the provisions of Article IV shall control.

Section 2) Sign permit required: Except as specifically exempted from the provisions of this article, it shall be unlawful for any person to post, display, substantially change, or erect a sign in the City without first having obtained a sign permit. For purposes of this article, application for a sign permit, a building permit, or a business license may be made simultaneously.

Section 3) Sign requirements per zoning district: Any sign regulated by this ordinance shall comply with the requirements outlined for the zoning district category in which the sign is located.

Section 4) Sign devices allowed for up to ninety days: The following types of signs shall be permitted only by issuance of a sign permit, and a building permit and electrical permit if required, allowing usage of this type sign for a period not exceeding ninety (90) consecutive days, except as more specifically provided in this section. All signs must be set back at least ten (10) feet from any public right-of-way. A fee of $30.00 per month, or as may be

established from time to time by resolution of the Mayor and Council of the City, shall be charged and must be paid for each sign permit in addition to fees for any required building and electrical permits. Signs permitted under this section are:

a) Air- or gas-filled balloons or other devices which have a capacity for air or gas which exceeds three cubic feet, per lot.
b) Streamers or two pennants, per lot.
c) Temporary banner signs.

Section 5) Weekend signs: Weekend signs shall be allowed without the necessity of obtaining a permit, subject to the following requirements:

a) Such signs shall be allowed only on Fridays from 12:00 p.m. through Mondays until 12:00 p.m.
b) No more than one weekend sign shall be allowed on any given lot.
c) No such sign shall be located on any public right-of-way, and it must be on private property with the consent of the property owner.
d) Signs shall not exceed a maximum area of fifteen square feet each.
e) For identification purposes the owner of said sign shall stamp or write legibly its name and contact information, on the backside or in a corner or margin of the sign.
f) In order to confirm legitimacy of sign placement, the owner of every weekend sign shall stamp or write legibly on the backside or corner of the sign the name of the property owner providing authorization for placement of the sign and a telephone number of that property owner.
g) Such signs shall not be illuminated.
h) The minimum fine for placement of a weekend sign in contravention of this article shall be $100.00. For enforcement purposes, each sign placed in contravention of this article is a separate violation.
i) For purposes of prosecuting this chapter, it is hereby established that if the subject matter of a wrongfully placed weekend sign is a business, individual or entity subject to identification, then a rebuttable presumption exists that the business, individual or entity so identified caused the sign to be so placed and is subject to citation.

Section 6) Expression signs: Expression signs are governed by O.C.G.A. § 16-7-58, and shall be allowed without the necessity of obtaining a permit, if in compliance with the size requirements of the applicable zoning district and subject to the following:

a) No such sign shall be located on any public right-of-way, and it must be on private property with the consent of the property owner.
b) For identification purposes the owner of said sign shall stamp or write legibly its name and contact information on the backside or in a corner or margin of the sign.
c) In order to confirm legitimacy of sign placement, the owner of every Expression sign shall stamp or write legibly on the backside or corner of the sign the name of the property owner or tenant providing authorization for placement of the sign and a telephone number of that property owner.
d) In order to prevent visual pollution and safety issues caused by the distraction of those passing by, no more than two (2) Expression signs per lot containing the same or similar expressive messages shall be allowed without a permit. For example, in a political race, a maximum of two political campaign signs supporting the same candidate for the same

office shall be allowed per lot. This provision is not intended to limit the overall number of Expression signs per lot. For example, in a political campaign season, one lot may permissibly contain more than two (2) political signs, as long as no more than two (2) signs contain the same or similar expressive message supporting the same candidate for the same office. This provision is in no way intended to regulate the content of Expression signs, but is rather a measure to reasonably limit the duplication of the same message in a manner that creates visual blight and causes distraction to those passing by.

e) Expression signs are subject to the additional regulations, if any, of the zoning district in which the sign is placed.

Section 7) Minimum setback from right-of-way: No sign regulated by this article shall be placed or erected within any public right of way. Additionally, no sign, in excess of three (3) feet high shall be placed within ten feet of a public right-of-way.

Section 8) Exemptions: The following types of signs are specifically exempted from compliance with this article and are not subject to a permit requirement and review/approval by the Director of Planning and Zoning:

a) One "no solicitors" sign, not to exceed one square foot in sign area, is allowed per major entrance to any building or apartment complex.
b) Flags, provided that only two flag poles are permitted per lot.
c) Traffic safety and traffic directional signs installed within the right-of-way of a public street, and traffic safety and traffic directional signs along private streets driveways, and in off-street parking lots that are installed per the requirements of the City engineer or his designees, or per City ordinance, state law, or federal law.
d) Street address numbers attached to buildings (maximum letter height 12 inches).
e) Signs erected by or on the order of a public officer in the performance of his duty, such as public notices, signs for restrooms, no parking signs, street name signs, safety signs, and the like.
f) Any sign not visible from a public street.
g) Signs pertaining to the time a business, activity, or establishment is open, and conditions under which patrons may receive service, including credit card identification signs or stickers up to one square feet in area per lot.
h) Trespassing and security signs not exceeding one square foot in sign area. "No trespassing" and security signs may be posted on doors, windows, or other property entrances or fences on property lines and may not be illuminated.
i) Expression Signs (no permit required if in compliance with the size requirements of the applicable zoning district).
j) Signs notifying the public that the lot or parcel upon which the sign is placed is for sale or lease (no permit required if in compliance with the size requirements of the applicable zoning district).
k) Improper use of nonregulated signs. If the Director of Planning and Zoning and/or the Mayor and Council deem that any business is using nonregulated signage to circumvent any other provision of this Ordinance, they shall have the authority to consider such sign as being in violation of this article.

Section 9) Residential Zoning Districts: Permitted Signs and Performance Standards

a) Permitted Signs
   i) Expression Signs not exceeding fifteen (15) square feet in sign face area (no permit required).
   ii) Signs notifying the public that the lot or parcel upon which the sign is placed is for sale or lease, not to exceed fifteen (15) square feet in sign face area (no permit required).
   iii) Any sign affixed on a window for purposes of viewing from outside the premises (no permit required).
   iv) Home Occupancy Permit Signs.
   v) Monument Signs at the entrance to a residential development or the entrance to a phase of a residential development.

b) Performance Standards
   i) The maximum height for signs shall not exceed six (6) feet.
   ii) Any lot within a residential zoning district shall be limited to 30 square feet of aggregate sign face. Limitations on the allowable square feet of signage are aggregate and may be distributed among any permitted signs (the 30 square feet of aggregate sign face may consist of any combination of permitted signs).
   iii) No signs may be placed within any public right of way, and no signs exceeding a height of three (3) feet may be placed within ten (10) feet of any public right of way.
   iv) To the extent that any restrictions contained herein are inconsistent with state law, including O.C.G.A. § 16-7-58, said state law shall control.

Section 10) Commercial and Industrial Zoning Districts: Permitted Signs and Performance Standards

a) Permitted Signs:
   i) Expression signs not exceeding fifty (50) square feet in sign face area (no permit required).
   ii) Signs notifying the public that the lot or parcel upon which the sign is placed is for sale or lease, not to exceed forty (40) square feet in sign face area (no permit required).
   iii) Any sign not specifically prohibited or otherwise regulated by this ordinance shall be allowed upon permit approval within commercial and industrial zoning districts, subject to the performance standards below.

b) Performance Standards
   i) The maximum height for freestanding signs shall not exceed ten (10) feet and such sign shall not exceed 120 square feet in sign area.
   ii) There shall be no more than one freestanding sign per lot.
   iii) The Maximum height for monument signs shall not exceed six (6) feet and such sign shall not exceed a maximum sign area of sixteen (16) square feet per side with a maximum of two sides.
   iv) There shall be no more than one wall sign for each separate use or business on a lot.
   v) No signs except as specifically provided for above may be placed within any public right of way, and no signs exceeding a height of three (3) feet may be placed within ten (10) feet of any public right of way.

c) Billboards

i) Billboards shall only be allowed in the LI zoning district. In no event shall billboards be allowed in any other zoning districts. An application for a billboard permit shall be granted provided that the billboard location and application, in addition to any other requirements of this article, meets the following specific requirements:
   (1) The height of any billboard sign and supporting structure shall not exceed a maximum height of 40 feet.
   (2) The maximum square footage for a single sign face shall not exceed 480 square feet.
   (3) The dimensions of the sign face shall not exceed 15 feet in height and 32 feet in length, with or without trim.
   (4) No billboard shall rotate or have any moving parts.
   (5) The minimum separation required between two billboard signs shall not be less than 1,500 feet as distance is defined by this ordinance.
   (6) No billboard shall be located within 1,500 feet of any residential community.
   (7) In order to construct a billboard under the standards of this provision, the applicant is required to own a fee simple property interest or have a leasehold interest in a legally platted parcel dedicated to use as a billboard site and large enough for a fall zone. A fall zone is defined as an area large enough and set back far enough from any buildings, structures, parking lots open to the public, or property lines equal to 133 percent of the height of the entire structure in every direction. Within the fall zone, no other buildings or structures may be constructed.
   (8) Trees may not be removed or trimmed from adjacent parcels for the purpose of construction, maintenance, or improvement of the visibility of any billboard; provided, however, trees may be trimmed on the premises owned by or under the control of the billboard owner.
   (9) Each billboard site shall have a designated driveway access point which is shown on the site plan presented with the application. The applicant shall have a property interest specifically providing for ingress and egress to the site. The ingress and egress driveway shall be paved, graveled, or have a parking space or turnaround area for inspection, maintenance, and supervision of the billboard.

Section 11) Temporary signage:

a) It is the policy of the City as outlined in this article to regulate the use of temporary signage. Temporary signage is often poorly constructed, poorly maintained, and located in a manner than obscures traffic signs, views of intersections of public and private streets and driveways, and tends to depreciate the scenic beauty and quality of life of the community by creating visual clutter. Temporary signage has a place in the community for specialized purposes, such as announcing properties for sale or lease, construction activities, or temporary sales. Temporary signage is permitted subject to the regulations of this article.

b) Temporary signs are those signs which are installed with the intent of displaying them continuously for more than 24 hours, but which are not related to a permanent land use on the property and are not intended to be displayed permanently. Temporary signs are permitted subject to the following regulations on size, placement and location:
   i) *Size.* Temporary signs shall not exceed five square feet in area.

ii) *Location.* Temporary signs are permitted, provided that they are located in minimum of 20 feet back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this 20-foot distance would be within a structure, the sign may be within three feet of the front of the structure. Signs must be parallel to the streets on which the building fronts and placed in front of the front facade with the building as a backdrop. Signs may be positioned in the side yard. Signs may be displayed through windows or other glass areas. On vacant lots, where there is no structure, the sign shall be approximately centered on the lot, and shall maintain the 20-foot setback from the edge of the curb or edge of pavement where there is no curb.

iii) *Height.* No portion of the sign shall extend more than five feet above the existing ground level at the location of the sign. Mounting devices may extend above the sign by not more than six inches.

iv) *Number.* Only one temporary sign is permitted on any one parcel of property. To the extent that any restriction contained herein is inconsistent with state law, said state law shall control.

v) *Mounting devices.* Temporary signs shall be mounted on hardware of wood or painted metal, and no part of the mounting structure shall be greater than four inches by four inches in cross-section. Mounting hardware shall be painted or stained in earth tones. Further, no message may be written on the mounting hardware so that the entire message area of the sign is contained on the sign face itself.

vi) *Lighting prohibited.* No temporary sign may be illuminated in any manner.

vii) *Time and fees.* Temporary signs shall only be permitted for a 1 month time period which may be renewed for up to 12 months total and shall pay a fee of $30 per month or such fee as may be established from time to time by resolution of the Mayor and Council of the City.

viii) *Maintenance.* Temporary signs shall be maintained as provided in this ordinance, and it shall be a violation of this article to permit a temporary sign to fall into disrepair.

ix) *Exceptions.* Where there are conditions such as heavy vegetation on the property, or extremely steep terrain that makes the sign placement standards of this section impractical because the sign is not visible from the street, the City may grant an exception of the sign setback standards, but not the size or street orientation standards. In no event may temporary signs subject to the setback requirements be placed within the public right-of-way.

Section 12) Banners--Over public property:

All applications to display banners over public property shall be approved as outlined below. Specifically, in order to receive approval to display a sign or banner over public property, the applicant shall meet the following terms and conditions:

a) The banner or sign shall only inform the community of an upcoming community event. A community event shall be defined as a public event which is of interest to the community as a whole rather than the promotion of any product, political candidate, religious leader, or commercial goods or services.

b) The banner may only be displayed immediately prior to and during a community event which it advertises, and in no case shall the banner be displayed for more than 30 days or more than ten days after the event.
c) Banners shall only be displayed at the site approved by the Director of Planning and Zoning.
d) Reservation of dates for a banner site may be made up to three months prior to the date of display. Sites are generally reserved on a first-come, first-served basis; however, preference may be given for recurring annual events, historically or traditionally tied to a specific date, holiday, or season. Additionally, a request to advertise the reoccurrence of the same event or same type of event within any one calendar year (i.e., plays or class registration) may be honored if no request for the banner site for an unrepeated scheduling is received.
e) All banners crossing over public thoroughfares shall be hung by City personnel and must meet the following specifications:
   i) Maximum banner dimensions over public property shall not exceed 4' × 30'.
   ii) Day-glo or fluorescent colors shall not be allowed.
   iii) Banners shall be constructed of durable canvas or similar type weather-resistant fabric.
   iv) Banners must be slit to reduce wind resistance.
   v) Banners must be reinforced with rope within a casing at the bottom of the banner edge.
   vi) Each corner of the banner must have a grommet and a lead of one-quarter-inch rope from each corner no less than four feet long.
   vii) Banners must have a minimum of seven grommets (including the two corner grommets) across the top edge, which allows the banner to be attached to a cable.
   viii)An additional 150 feet of one-quarter-inch rope is required to hang each banner and shall be provided to the City by the applicant or sponsor of the banner.
f) The primary purpose of banners which extend over public property shall be to advertise and inform of upcoming community events. No more than five percent of each side of the banner space shall be used for the name or logo of a commercial sponsor.
g) Prices or fees charged for the event shall not be displayed.
h) Banners shall be hung or displayed in a manner that does not interfere with or impede traffic or interfere with or obscure traffic signs or control devices.
i) The owners of a banner shall agree to assume full liability and indemnify the City for any damage to persons or property arising from the display of the banner by the City.
j) If the banner is not picked up from the City by the applicant or sponsor within ten days after it has been taken down, the banner shall become the property of the City and will be disposed of.
k) Banners should be received by the City one week prior to the date of scheduled display.
l) The City is not responsible for any damage that may occur to the banner from any cause.
m) No banner may be hung over a State Highway absent written permission from the Georgia Department of Transportation.

A fee shall be payable to the City when the banner is dropped off at the City before its reservation commences to cover manpower costs associated with installation and removal of the banner. A fee of $30.00 per month, or as may be established from time to time by

resolution of the Mayor and Council of the City, shall be charged and must be paid for each banner sign permit.

Section 13) Banners--On City light standards:
The Mayor or his representative is authorized to administer the placement of banners on City light standards. Approval of all applications to display banners on City light standards shall be given by the City only if all conditions in this article are met. Banners displayed in the City area shall be those sponsored by, designed for and commissioned by, fabricated for, and installed by the direction of the City.

Section 14) Banners--On private property:
Banners shall be permissible only by issuance of a sign permit, allowing usage of this type of sign for a period not exceeding one (1) year. All banners must be set back at least ten (10) feet from any public right-of-way.

a) *Duration.* There shall be two types of sign permits available for banners: annual and quarterly. An annual permit shall last for one (1) year, while a quarterly permit shall last for three (3) months.
b) *Inspection.* Banners are subject to quarterly inspection and the permit for any banner failing inspection shall be revoked.
c) *Fees.* A fee of $100.00 for an annual permit and $30.00 for a quarterly permit, or as may be established from time to time by resolution of the Mayor and Council of the City, shall be charged and must be paid for each sign permit. Review and approval is required by the Director of Planning and Zoning prior to the issuance of a permit or for display of such banner. The permit and identifying expiration date shall be displayed in a prominent place.
d) It is permissible to change copy under the same banner permit as long as the banner is hung at the same location and complies with all other provisions of this Article.
e) A banner advertising a particular event must be taken down within five (5) days after the advertised event.
f) There shall be one (1) sign permit per banner.
g) Banners shall be professionally printed and shall be limited to one message or product per banner.
h) A banner permit shall not be issued for a banner intended to be used in place of a permanent sign, but rather shall only be permitted in conjunction with a permanent sign and after the permanent sign is in place.

Section 15) Prohibited signs and signage illumination: No person shall erect, alter, maintain, or relocate any sign as specified in this section which include the following:

a) *Signs creating traffic hazards.* No sign shall be erected at or near any public street or the intersection of any street in such a manner as to create a traffic hazard by obstructing vision or at any location where it would interfere with, obstruct the view of, or be confused with any authorized traffic sign.
b) *Hazardous signs.* No sign shall be erected or maintained which, due to structural weakness, design defect, or other reason, constitutes a threat to the health, safety and welfare of any person or property.

c) *Signs resembling traffic signals or signs.* No sign shall be constructed, erected, or maintained which purports to be or resembles an official traffic sign or signal except those signs officially authorized by the City or other governmental entities.
d) *A-frame signs.* Any portable sign or structure composed of two sign faces mounted or attached back to back in such a manner as to form a basically triangular vertical cross-section through the faces.
e) *Mobile or portable signs.* A sign not permanently attached to the ground or building, except for public necessity signs and temporary signs as allowed by this article.
f) *Vehicle signs.* Vehicle signs shall not be parked or stored within fifty (50) feet of the curb of any public right-of-way. This does not apply to vehicles used daily and regularly for delivery, pickups, service calls, or transporting customers, except that such vehicles shall not be parked within fifty (50) feet of the curb of any public right-of-way before or after the activity associated therewith is over. Any such vehicle may be parked or stored within (50) feet of the right-of-way if the vehicle is not visible from the public right-of-way.
g) *Flashing signs.* Any sign containing lights or light emitting devices that flash in a manner that might distract motorists or create a risk to public safety.
h) *Balloons/Non-durable materials.* Any air- or gas-filled balloons or other similar devices, and permanent signs made of paper, cloth, or other nondurable materials, except as such signs are specifically approved by special permit in accordance with this Ordinance. Temporary banner signs made of non-rigid material are permissible when attached to a building or other permanent structure for a period up to 90 days as otherwise provided in this Ordinance. These temporary banner signs shall be permitted only by issuance of a sign permit.
i) *Portable signs.* Any sign that is portable and not permanently affixed to a building is prohibited unless it can be permitted as a temporary sign or banner as provided in this Ordinance.
j) *Roof signs.* Roof signs which extend in excess of 25 feet above the roof of the building to which they are attached.
k) *Streamers/Pennants.* Streamers and pennants, except as specifically approved by special permit in accordance with this Ordinance.
l) *Signs within the right-of-way.* No sign shall be erected or maintained within the right of way of any street, including those attached to traffic signs or telephone poles, other than official government or utility signs necessary for the public safety.
m) *Tree signs.* No signs shall be attached to trees.
n) *Bench signs.* Signs attached to courtesy benches, trashcans, and similar devices, with the exception of signage related to the ownership or public dedication of such items.
o) *Trailer signs.* No sign shall be attached to or part of a trailer that is parked or stored within fifty (50) feet of the curb of any public right-of-way. This does not apply to trailers used daily and regularly for delivery, pickups, service calls, or transporting goods and materials, except that such trailers shall not be parked within fifty (50) feet of the curb of any public right-of-way before or after the activity associated therewith is over. Any such trailer may be parked or stored within (50) feet of the right-of-way if the trailer is not visible from the public right-of-way.

ARTICLE IV: HISTORICAL DISTRICT AND URBAN REDEVELOPMENT PLAN AREA SIGN REGULATIONS

Section 1) Applicability: These Historical District and Urban Redevelopment Plan Area Sign Regulations shall apply to all properties within the Dawsonville Historical District and the Urban Redevelopment Plan Area as defined herein. *See also,* Appendix A, zoning. To the extent not covered in this Article specifically, all other provisions of this Ordinance shall apply. In the event of a conflict between this Article and any other provision of this Ordinance in the Historical District or the Urban Redevelopment Plan Area, the provisions of this Article shall control.

Section 2) Sign permit required: Except as specifically exempted from the provisions of this article, it shall be unlawful for any person to post, display, substantially change, or erect a sign in the Historical District or the Urban Redevelopment Plan Area of the City without first having obtained a sign permit. For purposes of this article, application for a sign permit, a building permit, or a business license may be made simultaneously.

Section 3) Types of signs allowed: The following types of signs are allowed subject to City review and approval based upon the regulations and payment of fees set forth in this article:

a) *Freestanding signs.*
   i) *Height limit.* Freestanding signs are limited to low-profile signs which may not exceed a height of five feet.
   ii) *Design.* Freestanding monument signs with solid or enclosed bases are permitted where approved. Signs supported by at least two poles without enclosed based are also permitted, provided that the exposed poles' height does not constitute more than 50 percent of the overall height; i.e., the height of the open area beneath a sign cannot exceed 50 percent of the sign's total height. Single pole signs are not considered appropriate in the Historical District or the Urban Redevelopment Plan Area except in the case where a single pole is used in conjunction with a horizontal cross-bar to support hanging signs on one side of the pole only subject to the projection and clearance provisions defined in § 13 (9).
   iii) *Size.* Freestanding signs shall be limited to a maximum of 32 square feet in area.
   iv) *Density.* Businesses, projects, or parcels are limited to one freestanding sign, except that properties with more than 100 feet of continuous frontage and with more than one entrance may, subject to City approval, install a freestanding sign at each entrance, provided that the combined square footage of all freestanding signs does not exceed 64 square feet (two 32-square-foot signs). Where there is frontage on more than one street, each frontage is treated independently, provided that no two signs may be closer than 100 feet to one another. Signage area may not be transferred from one frontage to another.
   v) *Location and orientation.* Freestanding signs are subject to the location requirements of the City.
   vi) *Content.* Freestanding signs are limited to on-premises signs and signs displaying noncommercial messages.

b) *Window signs.* Permanent window signs may be placed in or upon any window, provided that no more than seventy five percent (75%) of the total transparent area of the window or windows combined is obscured.

c) *Wall signs.* Wall signs may be placed upon a building; provided, that they meet the size, material, content, location, and other standards of this article. Wall signs shall be placed so as to utilize existing architectural features of a building without obscuring them. Wall signs shall be oriented toward pedestrians or vehicles within close proximity.

d) *Projecting signs.* No single projecting sign may exceed 18 square feet in area or may project more than 36 inches from the face of the building to which it is attached. Projecting signs must have at least eight feet of ground clearance and cannot be higher than the building to which they are attached. Signs may extend over City property or state right-of-way only with the written approval of the City Council.

e) *Hanging signs.* A hanging sign may be placed on a building or underneath an approved canopy, awning, or colonnade as long as it does not project beyond the same. It must have a least eight feet of ground clearance. Signs may extend over City property or state right-of-way only with the written approval of the City Council.

f) *Awnings.* Awnings are permitted as signage, provided they blend with the architecture of the building and do not obscure details of the building. Awnings should serve as an accent to the building's design but should not be the dominant architectural feature. Awnings are counted as signage if they have lettering or other graphics.
   i) *Signage area.* Only 20 percent of any one face of an awning may be used for signage regardless of the size of the building facade to which the sign applies.
   ii) *Material.* Only canvas will be permitted. Material should be high quality, colorfast, and surface resistant. Vinyl or plastic materials are not considered appropriate.
   iii) *Color.* Awning colors are generally limited to a single field color with a single contrasting color for lettering and may be used only if they conform to color requirements as specified in § 4 of this article.
   iv) *Illumination.* Illuminated (backlit) translucent awnings or translucent letters on opaque backgrounds are not appropriate and are not permitted. Canvas awnings illuminated in the traditional manner with incandescent lighting are permitted.
   v) *Clearance and projection.* Awnings must have a minimum of eight feet of clearance from the ground to the frame or valance.
   vi) *Location of awnings.* Awnings must be located in a traditional manner above doors and windows. All other locations are prohibited.

g) *Illuminated signs.* Illuminated signs are permitted subject to the provisions of § 4 (f).

h) *Changeable copy signs.* Changeable copy signs may only be used in conjunction with theaters, entertainment facilities, nonprofit art galleries, or similar exhibit facilities permitted in the Historical District. Changeable copy signs are allowed for all facilities in the Urban Redevelopment Plan Area

i) *Directory signs.* Directory signs shall be permitted to provide information for multitenant projects. Multitenant projects may have a maximum of 32 square feet of signage area to serve as a directory for a project. The contents of such signs shall be limited to the name of the tenants of the project, address or suite number, and telephone numbers. Signs shall be located in the common area of the project and oriented toward a central pedestrian path or common parking area. No rental or sales information shall be permitted on the directory sign. A directory sign does not constitute a primary or secondary sign.

j) *Menu display.* Menus for restaurants may be displaced on the inside of windows of a restaurant or inside a wall-mounted box. The maximum size shall be three square feet. If a display box is used, it must be constructed to coordinate with the building design, must

contain a clear face which would protect the menu from the weather, and must not extend over public property. Chalk or erasable boards are exempt from the clear face coverage requirement. A menu display does not constitute a primary or secondary sign. If any information other than the menu is incorporated into the menu display, then this would constitute a primary or secondary sign.

k) *Temporary signs.* Temporary signs are permitted subject to the requirements of §5 of this article.

l) *Expression signs*: Expression signs are governed by O.C.G.A. § 16-7-58, and shall be allowed without the necessity of obtaining a permit, subject to the following:
   i) No such sign shall be located on any public right-of-way, and it must be on private property with the consent of the property owner.
   ii) For identification purposes the owner of said sign shall stamp or write legibly its name and contact information on the backside or in a corner or margin of the sign.
   iii) In order to confirm legitimacy of sign placement, the owner of every Expression sign shall stamp or write legibly on the backside or corner of the sign the name of the property owner providing authorization for placement of the sign and a telephone number of that property owner.
   iv) Any Expression sign in the Historical District or Urban Redevelopment Plan Area with an area of the sign larger than ten (10) square feet shall require a sign permit and shall be subject to the regulations of this Article.

m) *Home occupation signs.* A professional or business nameplate which designates a legally operating home occupation.

Section 4) Design and location standards: All regulated signs must comply with the following design standards:

a) *Size requirements.* The total area of all permanent signs, including, but not limited to, freestanding signs, window signs, wall signs, projecting signs, and hanging signs, shall not exceed 50 square feet per business. There shall be no more than one primary, and one secondary sign per business. A secondary sign is one that is smaller than the primary sign.

b) *Area of sign.* The area within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure of similar character together with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such writing, representation, emblem or any figure of similar character from the background against which it is placed. For double-faced signs, only the largest display face shall be measured in computing the sign area.

c) *Signage plans.* Buildings or clusters of buildings having more than one tenant or use shall provide a signage plan for the entire structure or project to be reviewed and approved by the Director of Planning and Zoning prior to erection of any sign. The signage plan must be designed so that it establishes a common theme or design, uses similar construction methods, and has compatible colors, lettering, lettering style, symbols, scale and size of signs, and/or identical background. Signage plans for office buildings must have their primary focus on the identification of the building, and individual tenants may be identified by using small lettering on a window or door or directories. Total signage area within the plan is subject to the maximum size limitation of this article. Signage area cannot be transferred to a single building or facade from other buildings in the project.

d) *Sign materials.* Exposed surfaces of signs may be constructed of metal, glass, stone, concrete, brick, cloth, or wood.

e) *Color.* Signs must be finished in subdued earthtone colors. Earthtones may be defined in this context to include the full spectrum of soil and clay colors. Spectrums of off-whites to deep browns and light grays to black provide a wide range of acceptable colors. Brighter colors may be used, provided they are imbued with brown or black tones. For example, pink imbued with brown would tend toward mauve and would be acceptable. Bright reds imbued with brown or black tones give a deeper burgundy or maroon color and may also be acceptable. Colors should complement the color scheme of the building. In no case will "day-glo," fluorescent, reflective colored materials that give the appearance of changing color, or brilliant luminescent colors be permitted.

f) *Illumination.*

i) *Externally illuminated signs.* Light fixtures for externally illuminated signs must be simple in form and mounted so they do not obscure building ornamentation. The light fixtures should emphasize the continuity of the building surface and should not clutter the building in an unorganized manner. Spot lights and floodlights shall be directed only at the sign surface. Light shall not be directed off the property. No exposed light sources are allowed, and all light sources must be shaded to contain light rays to the sign. Colored lighting is prohibited.

ii) *Internally illuminated signs.* This type of sign is not considered appropriate in the Historical District and is prohibited.

g) *Type styles.* Only type styles in use in the United States between 1830 and 1910 may be accepted in the Historical District.

h) *Location on building.* Architectural details of a building often suggest a location, size, or shape for a sign. Signage should complement the architectural details of the building. Signs should help to establish a visual continuity with adjacent store fronts and relate directly to the store entrance. Signs must be oriented toward pedestrians or vehicles in close proximity. Signs shall be designed and located on the building or on the premises in a manner that is compatible with the mass and scale of the building to which the sign applies. Signs must not obscure architectural details of the building nor cover doors, windows, or other integral elements of the facade. Signs shall not obstruct views of nearby intersection and driveways.

i) *Projection and clearance.* No sign may project more than 36 inches from the face of a building or pole. Projecting and hanging signs must maintain at least eight feet of clearance from ground level. Signs may extend over City property only with the written approval of the City Council.

Section 5) Types of signs prohibited: In addition to those signs prohibited in Article III, § 15, *supra,* the following types of signs are prohibited in the Historical District and the Urban Redevelopment Plan Area:

a) *Electronic message signs.* A permanent, freestanding roof, wall, or other sign which changes copy electronically using switches and electric lamps. Automatic changing signs, such as public service and time, temperature, and date signage are prohibited.

b) *Off-premises freestanding signs and billboards.* A permanent outdoor sign which directs attention to a building, profession, product, service, industry, entertainment, or other activity

not conducted, sold, or offered on the premises upon which the sign is located or to which it is affixed.

c) *Roof signs.* Any signs erected partly or wholly on or over the roof of a building, including ground signs that rest on or overlap a roof. Signs mounted anywhere on a mansard roof are not allowed.

d) *Animated signs.* A rotating or revolving sign or signs where all or a portion of the signs moves in some manner.

e) *Wind signs.* Any propeller, whirling, or similar device which is designed to flutter, rotate, or display other movement under the influence of the wind. This shall include "gasoline flags" or banners.

f) *Video signs.* Animated visual messages which are projected on screen.

g) *Illuminated awnings.* Illuminated (backlit), translucent, awnings are not considered appropriate and are prohibited.

h) *Inflatable signs or displays.* Any inflatable object used for signage or promotional purposes.

i) *Neon signs.* Neon used to draw attention to a business or building in any manner, including, but not limited to, neon text, logos, or outlining of a building's architectural features, is not considered appropriate in the Historical District and is therefore prohibited. Neon may be used as an accent to signage in the Urban Redevelopment Plan Area, such as an "Open" sign done in neon, but may not be the primary signage for a building.

ARTICLE V: MISCELLANEOUS

Section 1) Repeal of Conflicting Ordinances: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 2) Severability: If any section, provision or clause of any part of this ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this ordinance would have been adopted had such invalid portion not been included herein.

Section 3) Effective Date: This ordinance shall be effective upon passage by the Mayor and Council of the City of Dawsonville, Georgia.

MAYOR AND DAWSONVILLE CITY COUNCIL

By: _____
Joe Lane Cox, Mayor

_____
Mike Sosebee, Council Member

ATTESTED TO BY:

City Clerk

Mike Wilson, Council Member

James Grogan, Council Member

Calvin Byrd, Council Member

Exhibit A

CHAPTER 105, SIGNS

Sign Permit Fee
Permit Fee= $100.00

Sign Variance Fee
$ 300.00

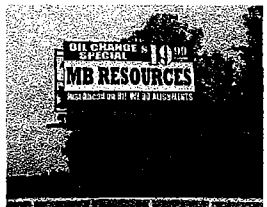
Temporary Sign
Permit Fee $75.00
Temporary Sign / Device - $30.00 (Month)

Banner Sign Fee
$100.00 – (Annual Fee)
$30.00 – (Quarter Fee)

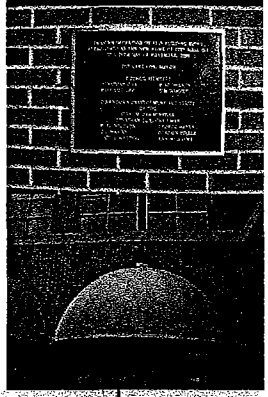
Penalties
Sign Recovery Fee - $ 100.00 (to recover signs impounded for violation)
Sign Re-Inspection Fee - $25.00 (out of compliance)
Sign Violation Fee - $200.00 (per violation)

ILLUSTRATION OF SIGN TYPES

Billboard



Building Marker



Canopy

Changeable Copy Sign

Drive-Thru Restaurant Sign

Freestanding Sign

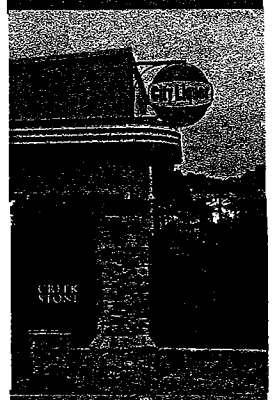
Fuel Canopy Sign

Hanging Sign

Monument Sign

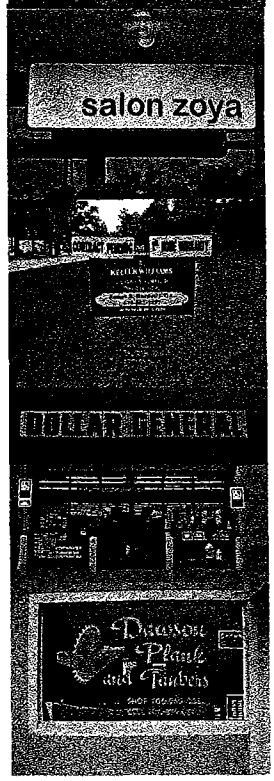
Pole Sign

Projecting Sign



Residential Entrance Monument Sign

Suspended Sign



Temporary Sign

Wall Sign

Window Sign