

**ORDINANCE #2009-05:
AN ORDINANCE AMENDING *APPENDIX A* OF THE
*STATESBORO CITY CODE (ZONING)***

WHEREAS, the City has previously adopted an ordinance regulating the subdivision of land;
and

WHEREAS, the City Council has determined there is sufficient reason and need to amend
Appendix A (Zoning) of the *Statesboro City Code* to eliminate unnecessary requirements;

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro,
Georgia, in regular session assembled as follows:

Section 1. *Appendix A* of the *Statesboro City Code* is hereby amended as follows:

- a) Replace existing *Article XV (Signs)* with the following:

ARTICLE XV. SIGNS

Section 1500. Preamble.

The mayor and city council of Statesboro have determined that it is in the best interest of the health, safety and welfare of the citizens of the city that a comprehensive and balanced system of control and regulation be enacted as to the placement, maintenance and removal of signs within the limits of the city, said determination having been derived from, but not limited to the following concerns:

- A. The safe and efficient flow of motor vehicle, bicycle and pedestrian traffic through the city which may otherwise be impeded by the indiscriminate proliferation of signage erected to attract the attention of the traveling public, and which if left unregulated, may result in hazards to travelers through the erection of increased numbers of larger, brighter or more distracting signs by owners attempting to convey competing messages;
- B. The protection of property values, both public and private, by assuring the compatibility of signs with surrounding land uses while balancing the community's variant interests of enhancing the commercial and economic atmosphere of the city with the desire to maintain a tranquil aesthetic environment that eliminates visual clutter and blight through the management of hardscape features, including signage;
- C. The interference with the ability of property owners to enjoy or use their property without undue visual obstruction, distraction or hazard;
- D. The preservation and protection of properties and areas having historic, recreational, educational, cultural, religious values and environments, and prominent community gateways and major thoroughfares which, through orderly design and maintenance of the built environment – including signage, provide for community pride and exhibit clear community expectations that promote investment through a predictable development pattern;
- E. The elimination of potential hazards arising during times of inclement weather or other natural disaster;

- F. The provision of some signage that has the targeted purpose of promoting public safety, but for which the identification of such signage by description is difficult without referring to its incidental function; such as, address numerals or subdivision or major development entrance signage; which, is a tool for enabling the traveling public and emergency personnel to locate point of ingress and egress during visitation or emergency call response. While such signage is referenced based upon the function it serves within the context of this ordinance, the provisions of this ordinance are unrelated to the content of the speech provided and allow maximum expressive potential to sign owners;
- G. The control of the proliferation and placement of signs in an indiscriminate manner so as to pose a threat to the aesthetic and environmental values and qualities of life within the City of Statesboro;
- H. Increasingly vibrant and distracting signs, including those incorporating LED and similar technology cause unique and substantial hazards to traffic caused by a higher level of distractability, are inconsistent with the standards established for major community thoroughfares and gateways, and demand greater diligence and resources in enforcing proper use and display than those signs not incorporating such technology; and,
- I. In addition to the other concerns stated within this section, specific districts, thoroughfares and gateways throughout the community, due to traffic volumes, population density, proximity to major community facilities, or other similar factors, may – absent the provision of reasonable land management regulations – be more susceptible to the proliferation of signage, banners and other similar displays than other parts of the city; but, have otherwise been determined by the community to be of significant importance in maintaining an orderly, moderated and consistent development pattern and a community character free of visual clutter including, but not limited to the following:
- i. *Veterans Memorial Highway.* The city's principal by-way alternatively serves as a community greenway, providing for areas of natural landscape; and, where flanked by development, a soft transition between the natural and built environment. With few direct vehicular access points to adjacent property, abutting properties will remain rural or develop in a residential manner. Signs on this thoroughfare must remain limited in number and scale to avoid the inadvertent placement of signage in proximity to the city's neighborhoods and greenspaces that would not otherwise be permitted in residential areas and on residential streets. The allowance for unregulated signage will further reduce the highway's function as a community parkway, contradicting the community interest of providing for an orderly visual environment.
 - ii. *Urban Core.* The city of Statesboro's historic downtown and central business district, and surrounding properties extending north to Parrish Street and south to Georgia Southern University are located in the Urban Core Character Area as identified in the *Statesboro Comprehensive Plan* (2009-2019). The Urban Core Character Area will redevelop with an urban characteristic that emphasizes buildings, streets, and streetscape transition between these elements, in a manner that is human in scale and focuses on pedestrian orientation – effectively serving as an extension of the traditional downtown development pattern. Signage in the Urban Core must be of a size and scale that works in harmony with preferred building patterns that promote pedestrian activity. Large, bright and signage of excessive size contradicts the desired development pattern of the urban core and makes mixed-use urban development patterns more difficult to implement over time by conflicting with limited development space and resulting in open expanses of property that are undesirable or unsafe for pedestrian activity.
 - iii. *South Main Street and Fair Road (Urban Core Character Area to Veteran's Memorial Parkway).* These thoroughfares serve as principal gateways into the city of Statesboro, and provide direct access to facilities of regional and statewide importance including Georgia Southern University and East Georgia Regional Medical Center. Signs shall be encouraged that are creative and well-designed and that contribute in a positive way to the city's visual environment, express local

character, and help develop a distinctive image for the city. Signs permitted to be placed in a haphazard manner and at a large scale, compete with adjacent buildings and properties for attention and lessen the importance of community institutions. Excessive amounts of signage will damage the community's "sense of place" and subsequently place the city of Statesboro at a disadvantage when competing for investment with communities that regulate their built environments in a more progressive manner.

- iv. *East Main Street (Central Business District to Municipal Limits)*. The eastern gateway into downtown Statesboro provides a soft transition from rural land uses into concentrated residential areas of varying density with limited supporting commercial services and substantial community open spaces including Mill Creek Regional Park. Emphasis along this thoroughfare should be placed on mixing substantial amounts of natural and manicured landscaping that provide increased value to residential areas. Signage of excessive size and scale directly conflicts with the passiveness of surrounding architecture, natural settings, and low to moderate density residential land uses, and will devalue adjacent residential property. Signs must be of smaller scale to reflect the neighborhood atmosphere of the area, and the local nature of supporting businesses, services and public facilities.

Section 1501. Definitions.

Words and phrases used in this ordinance [article] shall have the meanings set forth in this section. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or titles are for reference purposes only and shall not be used in the interpretation of this ordinance [article].

1. *Aggregate sign area*. The combined sign area of all signs regardless of whether or not the signs require a permit or, where specified, all signs of a particular category, on a single parcel. For example, the aggregate sign area of all freestanding signs on a parcel is the sum total of the sign areas of all freestanding signs on such parcel.
2. *Animated sign*. A sign that utilizes moving structural elements, flashing or sequential lights, lighting elements, or other automated methods to create movement, the appearance of movement, or other special effects. Signs meeting the definition of and regulations governing changeable copy signs and traffic control devices and warning signs meeting the standards of the Manual of Uniform Traffic Control Devices are not considered animated signs.
3. *Air and gas filled device*. Any sign using, either wholly or in part, forced air or other gas as means of supporting its structure.
4. *Beacon*. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.
5. *Banner*. Any sign printed or displayed on lightweight fabric, or similar flexible material with or without frames and that is mounted to a pole or building at more than one (1) edge. When mounted, banners shall remain stationary and not flap or wave in a manner similar to a flag or pennant. Flags and pennants shall not be considered banners.
6. *Billboard*. A freestanding sign having a sign area of greater than 150 square feet.
7. *Building sign*. Any sign attached to any part of a building.

8. *Canopy or awning.* A structure made of cloth, metal, or other material affixed to a building and/or supported by the ground.
9. *Canopy sign.* Any sign that is part of or attached to an awning, canopy, or other fabric, plastic, or other structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
10. *Changeable copy sign.* A sign designed to allow the changing of letters, words, logos, or symbols through manual, electric, or electronic means without altering the face or surface of the sign, or creating movement or the appearance of movement. For purposes of this article, a changeable copy sign does not include an animated, or tri-vision sign; or a sign utilizing LED or similar digital technology.
11. *Flag.* Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.
12. *Freestanding sign.* A sign which is attached to, or part of, a completely self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or any other structure. Freestanding signs may take the form of either monument or stanchion signs as defined herein.
13. *Incidental sign.* A sign of no more than two (2) square feet that serves the purpose of guiding safe traffic movements onto, from or on property, and without which there is an increased risk of incompatible traffic movements or obstructions. Examples of incidental signs include but are not limited to "stop," "no parking," "entrance," "loading zone" and other similar traffic related directives.
14. *LED sign.* Any sign or portion thereof that utilizes light emitting diode technology or other similar semi-conductor technology to produce an illuminated image, picture, or message of any kind whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro polymer (OEL), or any other similar technology. For purposes of this article, a LED sign is not considered to be a form of changeable copy sign.
15. *Lot.* Any piece or parcel of land, of which the boundaries have been established by a legal instrument of record and meet the requirements of the zoning ordinance [this appendix].
16. *Marquee.* A permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, but not supported by the ground, and constructed of durable material to provide protection from the weather.
17. *Monument sign.* A freestanding sign which forms a solid structure from the ground to the top of the sign.
18. *Nonconforming sign.* Any sign which, while legal at the time of erection, does not comply with the requirements of this ordinance [article].

19. *Normal grade.* The lower of: existing grade prior to construction, or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating for the purpose of locating the sign.
20. *Pennant.* Any lightweight fabric or other similar material, message or no message, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.
21. *Person.* Any individual, firm, partnership, association, corporation, company, or organization, singular or plural, of any kind.
22. *Pole sign.* See stanchion sign.
23. *Portable signs.* Any sign which is not permanently attached to the ground or other permanent structure, or a sign designed to be transported by wheels or trailer; signs converted to A-frames or T-frames; umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operation of the business or organization for purposes other than signage.
24. *Principal building.* The main or principal building located upon a lot; the building in which the principal use of the premises is conducted. Lots with multiple principal uses may have multiple principal buildings. However, storage buildings, garages, and other clearly additional uses shall not be considered principal buildings.
25. *Projecting sign.* Any sign which is affixed to a building or wall and its leading edge extends beyond the line of such building or wall or beyond the surface of that portion of the building or wall to which it is affixed by more than 12 inches.
26. *Roof sign.* Any sign erected, constructed, or maintained in whole or a part upon, against, or above the eave of a peaked roof or parapet line of a flat roof.
27. *Setback.* The distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.
28. *Sign.* Any fixture, placard, structure, or device illuminated or non-illuminated that uses any color, form, graphic, symbol, or writing to convey information of any kind and which is visible to the public from streets and/or public property.
29. *Spectacular sign or device.* Signs or devices, whether permanent or temporary, utilizing out of the ordinary materials, configurations or devices, including, but not limited to, (i) balloons; (ii) animated animal forms; (iii) costumed human or animal figures; and (iv) other attention-getting devices. "Spectacular sign or device" does not include banners, flags or pennants meeting the standards of this ordinance.
30. *Special event sign.* See *temporary sign*.
31. *Stanchion sign.* A freestanding sign that is mounted on a pole or other vertical support such that the bottom of the sign face is elevated above ground level and there is no visual obstruction other than the vertical support between the ground and the bottom of the sign face.
32. *Standard informational sign.* A sign with an area not greater than four and one-half (4 ½) square feet, with a sign face made for short term use, containing no reflective elements, flags or

projections and which, when erect, stands at a height not greater than three (3) feet and is mounted on a stake or metal frame with a thickness or diameter not greater than one and one-half (1 ½) inches.

- 33. *Street*. A strip of land or way, subject to vehicular as well as pedestrian traffic, that provides direct or indirect access to property, including, but not limited to, alleys, avenues, lanes, highways, roads, or other thoroughfares.
- 34. *Street frontage*. The distance for which a lot adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.
- 35. *Suspended sign*. Any sign which is suspended from the underside of a horizontal plane surface and is supported by such surface.
- 36. *Temporary sign*. A sign not permanently attached to the ground or other structure, excluding signs meeting the definition of and standards for “standard informational signs” and located on residential property.
- 37. *Tri-vision sign*. A sign designed with a series of slats that mechanically rotate in sequence with one another to show multiple different sign messages in sequence. For purposes of this article, a tri-vision sign is not a changeable copy sign.
- 38. *Wall sign*. Any sign attached parallel to, but within 12 inches of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure which is supported by such wall or building and which displays only on one sign surface.
- 39. *Window sign*. Any writing, pictures, symbols, or combination thereof, attached to, placed upon, or painted on the interior of a door or window or upon the window panes or glass and visible from the exterior of the window or door.

Section 1502. Permit for sign placement required.

Unless otherwise provided in this ordinance [article], no sign or other advertising device shall be erected, constructed, replaced, modified, changed by panels, modified, relocated, or structurally altered within the limits of the City of Statesboro without prior issuance of a permit.

Section 1503. Permit procedures.

- A. *Applications*. All applications for sign permits of any kind shall be submitted to the zoning administrator on an application form prescribed by the city. The applicant must be the property owner or the lessee of the lot on which the sign will be located, or an agent or representative of the property owner or the lessee.
- B. *Permit for new sign or for sign modification*. An application for construction, creation, or installation of a new sign or for modification of an existing sign shall be accompanied by a detailed illustration of the dimensions, design, structure, and location of each sign in the format prescribed within the official application form. Each sign on the same lot shall be subject to a separate application and corresponding fee.

C. *Fees.* Each application for a sign permit shall be accompanied by applicable fees based on the schedule contained in Table 1:

Table 1. Fees

TABLE INSET:

TYPE OF FEE*	COST
New sign/modification application fee including inspection/reinspection, per lot:	\$50.00 (Plus \$1.00 per square foot)
Temporary sign or banner	\$50.00
<i>Note: All fees listed herein double where a sign requiring a permit has been erected without first having received a permit in accordance with the provisions of this article. See also, subsection 1503-H.</i>	

D. *Action.* Within 15 business days of the submission of an application for a sign permit, including required and accompanying materials as provided in section 1503(B) of this ordinance, the zoning administrator shall either:

1. Issue the permit where it is found that such sign application is complete and the proposed sign adheres to the standards of this article and other applicable requirements of city ordinances and state law; or
2. Deny the permit where the application is incomplete, contains false material statements or where the proposed sign would violate standards of this ordinance or other ordinances or state laws regulating signage. Any denial of a permit shall be in writing and shall include a specification of the section(s) of the ordinance, or applicable provision of other city ordinances or state laws with which the sign is inconsistent. The denial shall be based upon and shall cite to the specific articulated standards in this ordinance [article], or other law, and shall not be based or cited to the general concerns contained in section 1500 herein. A denied application later resubmitted in conformity with this ordinance shall be deemed to have been submitted on the date of resubmission, rather than on the date of original submission. A decision to deny a permit shall be in writing and shall be served on the permit applicant either by hand delivery or by first class mail to the address provided by the applicant no later than 15 business days after initial receipt of the application.

E. *Inspection.* The zoning administrator shall inspect the lot for which each permit for a new sign or for modification of an existing sign is issued, sixth months after issuance of such permit or at such earlier date as the owner may request. If the construction is not substantially complete at the time of inspection, the permit shall lapse and become void. If the construction is complete and in full compliance with this ordinance [article] and other applicable codes, the zoning administrator shall affix to the premises a permanent symbol identifying the sign(s) and the applicable permit by number. If the construction is substantially complete, but not in full compliance with this ordinance [article] and applicable codes, the zoning administrator shall give the owner or applicant notice of the deficiencies and shall allow an additional 30 days from the date of such inspection for the deficiencies to be corrected. If deficiencies are not corrected by such date, the permit shall lapse. If construction is then complete, a permanent symbol shall be affixed described above.

- F. *Appeals of permit denial.* In the event of denial of an application for a permit, the applicant may appeal the decision to the mayor and city council within 10 business days of the hand delivery or mailing of such denial. The applicant shall make written notice of appeal to the city manager, who shall schedule the hearing before the mayor and city council at the next council meeting occurring at least seven days after such notice is received. At the appeals hearing, the sole issues are whether the permit application is complete and free from false material statements and whether the proposed sign complies with the standards of this ordinance and other ordinances and state laws regulating the proposed sign. Where the mayor and council find the application to be complete and true and that the proposed sign would comply with all terms of governing law, the permit shall be issued. The mayor and council shall make its decision no later than 30 days after the date of hearing and a written copy of that decision, with supporting reasons shall be transmitted to the applicant in the same manner as the initial decision of the city.
- G. *Revocation.* In the event it is determined that a permit was issued in violation of this ordinance or other ordinance or law regulating the sign at issue or where the sign has been erected in violation of such standards, the zoning administrator shall issue a written notice of revocation of the permit, stating the grounds for such revocation action. The notice of revocation shall be in the same form as notices of denial and delivered to the permit holder in the same manner as a notice of denial. Where no appeal is taken within 10 business days of giving notice, the revocation shall be considered final. Within 10 business days of receipt of a notice of revocation, a permit holder may appeal the notice by filing a written notice of revocation with the city manager in the same form as appeals of a notice of denial. Hearing on an appeal of revocation shall be conducted within the same time frames and the same manner as appeals of denial.
- H. *Variances.* No variances shall be permitted from the terms of this Article. Specifically, no variances under Article XVIII of this ordinance shall be applicable to the standards contained within this Article.
- I. *Work without permit issuance.* If any person, owner, authorized agent or contractor commences any work before securing permits required by this ordinance [article], fees upon application shall be doubled. Such fees shall be in addition to any other remedy resulting from enforcement of this article as provided by section 1515.
- J. *Multiple lots.* If several lots of record which are contiguous and adjacent have been combined for a single purpose, then the lots shall be considered as a single lot in determining the size, height and use requirements as set forth by this ordinance.

Section 1504. Display/assignment of permits.

- A. *Display of permit.* The permit holder shall be responsible for maintaining the permit for every sign constructed, erected or maintained for which a permit is required by this ordinance [article]. Such permit shall be kept on the premises served by the sign and shall be exhibited promptly upon request of city officers and employees.
- B. *Assignment of sign permits.* A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises, subject to any filing of such applications as the zoning administrator may require; no fees shall be charged for filing an assignment with the city. The assignment shall not require city approval. However, a modification of the sign by an assignee shall require a permit and payment of fee as for a new sign.

Section 1505. Signs exempt from permit.

The following signs shall be exempt from permit requirements of this ordinance [article], provided that the signs or devices erected or placed are located on property of the person who erects such signs or on property whose owner has given permission for such placement, and provided further that all other standards of this ordinance concerning the physical placement or dimensions of the sign are observed:

1. Any public notice or warning required by a valid applicable law, regulation, or ordinance.
2. Seasonal or holiday lights and decorations.
3. Official traffic control signs and devices meeting the standards of the Manual of Uniform Traffic Control Devices.
4. Incidental signs and other signs on private property directing traffic, such as "Stop" or "Yield," that meet state department of transportation standards.
5. Flags within the dimensional standards of section 1506(A), limited to two (2) per parcel.
6. Standard informational signs meeting the standards of section 1506(D) of this ordinance on residential properties.
7. Window signs in all sign districts meeting the standards of this ordinance.
8. Address numerals not exceeding four (4) inches in height on residential properties or eight (8) inches in height on non-residential properties.
9. Portable signs for individual businesses in Sign District 4 meeting the standards of section 1506(C) of this ordinance.

Section 1506. Regulation of signs by type.

- A. *Flags.* Flags are limited to twenty-four square feet and, if attached to a flag pole, shall be flown on a pole not exceeding 25 feet in height in Sign Districts 1, 3 and 4. Flags in Sign District 2 shall not exceed 60 square feet in size nor be flown on poles higher than 40 feet. Two flags per property are permitted without permit. Additional flags are subject to permitting as "banners" under subsection E of this section.
- B. *Window signs.* Window signs are allowed in all Sign Districts. Window signs shall cover no more than 50 percent of any window or door pane area. Window signs on residential properties are included as a portion of those properties' maximum aggregate sign allowance.
- C. *Portable signs.* Individual businesses in Sign District 4 are allowed one (1) non-illuminated portable sidewalk sign of an A-frame or easel construction per public street frontage during business hours. Such signs shall be located within one (1) foot of the entrance to the business, and may be located on unimproved public rights-of-way and on public sidewalks, provided they are not within three (3) feet of the curb. Such signs shall not impede pedestrian or vehicular traffic or obstruct the view of drivers entering or existing property or intersecting streets. Such signs shall further not exceed five (5) feet in height or two (2) feet in width and shall be removed by the owner at the end of each business day.

- D. *Standard informational signs.* Each owner and/or occupant of residential property in the city shall be allowed to erect one standard informational sign on that owner/ occupant's property without first obtaining a permit; provided that during the time period between the opening of qualifying for any election through the date on which all offices and issues in that election have been finally determined, an unlimited number of standard informational signs may be posted on residential property by the owner/ occupant.
- E. *Temporary signs and banners.* Permits for temporary signs or banners on private property, excluding standard informational signs on a residential property, shall be allowed upon issuance of a temporary sign permit, which shall be subject to the application procedures required by section 1503 of this ordinance, and the following additional requirements:
1. The application shall specifically describe the sign and device as to construction and/or composition and location on the property.
 2. A temporary sign permit shall be permitted for a period of up to 30 days.
 3. No more than three (3) permits shall be issued for a property in any calendar year, except that no temporary sign permits may be issued for a "residence on an individual lot" as defined within Table 3 of this Article.
 4. Permitted temporary signs or banners shall adhere to the applicable standards of this ordinance which would otherwise apply to a sign intended to be erected on a permanent basis including, but not limited to size, height, setback, placement on a building elevations, etc.
 5. Permitted temporary signs or banners shall not include any illumination or any feature or characteristic which would also meet the definition of a changeable copy sign.
 6. Permitted temporary signs or banners shall pose no significant threat to person or property in the event of inclement weather.
- F. *Central Business District.* Signs in the Central Business District of Statesboro shall be constructed of wood, metal, stone or stone composite materials. With the exception of lighting that is an integral part of an automated teller machine, internal illumination of signs in the Central Business District of Statesboro is prohibited.

Section 1507. Signs in the public right-of-way.

No signs shall be allowed within the public right-of-way or other public property, except for the following:

1. Public signs erected by or on behalf of a governmental body that exercises jurisdiction over that right-of-way.
2. Information signs of a public utility regarding its poles, lines, pipes, or facilities.
3. Emergency warning signs erected by a governmental body, a public utility company or a contractor doing authorized or permitted work within the public right-of-way.
4. Portable signs subject to the provisions of Section 1506(C).

Any sign erected or installed on any type of public property in violation of this section shall be forfeited to the public and subject to confiscation and removal by the city without notice. In addition to other remedies provided by this article, the city shall have the right to recover from the owner or person posting such sign the full cost of removal and disposal of the sign.

Section 1508. Prohibited signs.

The following types of signs are prohibited in all zoning districts of Statesboro:

1. Animated signs.
2. Beacons.
3. Signs attached to, drawn or painted on trees, rocks, or utility poles.
4. Air and gas filled devices.
5. Strings of light not permanently mounted to a rigid background.
6. Fluttering ribbons or pennants (excluding flags permitted under section 1506(A) or banners permitted on a temporary basis under section 1506(E)).
7. No sign shall be constructed, erected or maintained that uses the words, "Stop," "Emergency" or "Danger," or uses emergency colors of red, blue or amber, in such a manner as to imply danger or emergency, or which is a copy or imitation of an official traffic-control sign or device.
8. Roof signs, except on the facings of mansard roofs where the slope of the roof does not terminate in a unified ridge line, and when no other space is available for the mounting of signs. Supports for roof signs on such mansard roofs shall be attached to the structural supports of the roof, and shall not project above the peak of the roof.
9. Illuminated signs from which direct rays of light are projected onto a lot other than on the lot where the illumination occurs.
10. Signs displaying any obscene message or obscenity as defined by U.S. Supreme Court decisions.
11. Spectacular signs or devices.

Section 1509. Location, number and dimension of permitted signs.

A. *Sign districts.* Signs of certain types, characteristics, numbers and dimensions are permitted in specific locations, and according to standards established by this section and other applicable sections of this article. For the purposes of categorizing suitable signs by location in the city, the following sign districts are established:

1. Sign District 1 is any Residential District (R-3, R-4, R-6, R-8, R-10, R-15, R-20, R-30, and R-40).

2. Sign District 2 is CR, HOC, HI, and LI Zoning Districts on State and Federal Highway Systems. except for those specific State and Federal highway segments identified and included within Sign District 3.
3. Sign District 3 is the O zoning district in any location, and the CR, HOC, HI, and LI Zoning Districts on thoroughfares not part of the State or Federal Highway system, but otherwise including the following specific segments of the State or Federal Highway System:
 - i. Veterans Memorial Highway.
 - ii. State and Federal highway segments located in the Urban Core Character Area as identified by the *Statesboro Comprehensive Plan* (2009-2019), excluding the Central Business District, and as may be subsequently amended in accordance with the "Rules of the Georgia Department of Community Affairs, Chapter 110-12-1, 'Local Planning Requirements.'"
 - iii. South Main Street and Fair Road between the Urban Core Character Area and Veteran's Memorial Highway.
 - iv. East Main Street between the Central Business District and the Municipal Limits
4. Sign District 4 is the Central Business District.

B. *Location by sign district.* Signs may be erected in those districts where the applicable sign type is allowed as identified in Table 2.

Table 2. Permitted Signs by Type and Sign District

TABLE INSET:

SIGN TYPE	SIGN DISTRICT 1			SIGN DISTRICTS 2 & 3	SIGN DISTRICT 4
	Residence on an individual lot	Residential development or subdivision	Nonresidential property		
<i>FREESTANDING:</i>					
Incidental	No permit needed	No permit needed	No permit needed	No permit needed	No permit needed
Billboard	Prohibited	Prohibited	Prohibited	Needs a permit in Area 2; Prohibited in Area 3	Prohibited
Monument	Prohibited	Needs a permit	Needs a permit	Needs a permit	Needs a permit
Stanchion	Prohibited	Prohibited	Prohibited	Needs a permit in Area 2; Prohibited in Area 3	Prohibited
Standard informational sign	No permit needed (Subject to provisions contained in Table 3)	Prohibited	Prohibited	Prohibited	Prohibited
<i>BUILDING:</i>					
Canopy	Prohibited	Prohibited	Prohibited	Needs a permit	Needs a permit
Incidental	Prohibited	No permit needed	No permit needed	Needs a permit	Needs a permit
Marquee	Prohibited	Prohibited	Prohibited	Needs a permit	Needs a permit

Projecting	Prohibited	Prohibited	Prohibited	Prohibited	Needs a permit
Roof*	Prohibited	Prohibited	Prohibited	Needs a permit*	Needs a permit*
Suspended	Prohibited	Prohibited	Prohibited	Prohibited	Needs a permit
Wall	Prohibited	Needs a permit	Needs a permit	Needs a permit	Needs a permit
Window	No permit needed	No permit needed	No permit needed	No permit needed	No permit needed
MISCELLANEOUS**:					
Banner	Prohibited	Needs a permit	Needs a permit	Needs a permit	Needs a permit
Flag***	No permit needed***	No permit needed***	No permit needed***	No permit needed***	No permit needed***
Portable****	Prohibited	Prohibited	Prohibited	Prohibited	No permit needed****
Temporary	Prohibited	Needs a permit	Needs a permit	Needs a permit	Needs a permit
<p>*Roof signs, where permitted, shall be subject to the provisions of section 1508 (8).</p> <p>**Signs listed as "miscellaneous" within this Table do not form part of the "aggregate sign area" for a parcel as defined in section 1501, or Tables 3, 4, 5 and 6 as provided within this article.</p> <p>***Flags shall be subject to the provisions of section 1506(A).</p> <p>****Portable signs, where permitted, shall be subject to the provisions of section 1506(C).</p>					

C. *Dimensional standards by sign district.* Signs may be erected in those districts where the applicable sign type is allowed as provided within the Tables 3, 4, 5, and 6 contained in this section. The following principles shall control when computing the sign area, height and other miscellaneous provisions provided in Tables 3, 4, 5 and 6:

1. *Computation of area of individual signs.* The area of a sign face shall be calculated by means of the smallest shape (i.e., square, circle, rectangle) that surrounds the extreme limits of writing or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework.
2. *Computation of area of multi-faced signs.* The area of a sign with more than one (1) face shall be calculated by totaling the areas of all sign faces visible from any one (1) point. When two (2) faces are identical and back to back, so that both faces cannot be viewed from any one point at the same time, the sign shall be computed by the measurement of one (1) of the faces.
3. *Computation of height.* The height of a sign shall be calculated as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign.
4. *Computation of maximum total permitted sign area for a lot.* The permitted total of the area of all individual signs on a zone lot shall be computed by applying the formula from Tables 3, 4, 5 or 6, to the lot or building frontage, or wall area, for the zoning district in which the lot is located. If a lot fronts on two (2) or more streets, it is allowed the permitted sign area for each street frontage.

Table 3. Sign District 1 Dimensional Standards

TABLE INSET:

SIGN DISTRICT 1 (As defined in subsection 1509[A.1])	RESIDENCE ON AN INDIVIDUAL LOT*	RESIDENTIAL DEVELOPMENT OR SUBDIVISION**	NONRESIDENTIAL USE
AGGREGATE SIGN AREA***:			
1. Maximum Number of Total Square Feet (SF)*	12 square feet	Varies (All signs within a residential development or subdivision must be constructed of brick, stone, masonry, wood, or equal architectural material)	80 square feet including freestanding and building signs.
FREESTANDING SIGNS****:			
2. Freestanding Sign Maximum Square Feet	4 ½ square feet	40 square feet (Per development entrance sign) 18 square feet (Per sign identifying a development common area or facility)	40 square feet
3. Maximum Height	3 feet	6 feet	8 feet
4. Setback Requirements	5 feet	5 feet*****	5 feet
5. Number of Signs Allowed	One	Two (2) sign structures per entrance to the development or subdivision.*****	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs
BUILDING SIGNS:			
1. Maximum Number of Total Square Feet	N/A	18 square feet	40 square feet
2. Maximum Height	N/A (Window signs only)	Building Elevation	Building Elevation
3. Number of Building Signs Allowed	N/A	One per building serving as the principal structure in a common area or facility.	One per building elevation with street frontage.
<p><i>*Per the purposes of this article, "residences on an individual lot" refers to any individual lot principally serving as a single-family residential dwelling [attached, detached, townhouse, etc.] or a duplex.</i></p> <p><i>**Per the purposes of this article signage related to a "residential development or subdivision" includes all common entry signage into the development, and all signage related to common areas and facilities.</i></p> <p><i>***As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required.</i></p> <p><i>****Limited to monument and standard informational signs where permitted by Table 2. Billboards and stanchion signs prohibited as provided in Table 2 herein.</i></p> <p><i>*****Unless incorporated into the street right-of-way as part of landscaped entryway feature – in which case only one (1) sign structure may be located at the entrance, and such sign placement, and maintenance agreements, shall have been approved as part of the major subdivision approval process established in Appendix B of the Statesboro Code of Ordinances (Statesboro Subdivision Regulations).</i></p> <p><i>(NOTE: Illumination of building or freestanding signs is prohibited on any individual lot principally serving as single-family residential dwelling [attached, detached, townhouse, etc.] or a duplex. Land uses within Sign District 1 which may otherwise utilize illumination, shall not incorporate internal illumination.)</i></p>			

Table 4. Sign District 2 Dimensional Standards

TABLE INSET:

SIGN DISTRICT 2 (As defined in subsection 1509[A.2])	SIGN FOR AN INDIVIDUAL ESTABLISHMENTS ON AN INDIVIDUAL LOT	MAJOR SIGN FOR PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT	INDIVIDUAL ESTABLISHMENTS, SHOPS, ETC., WITHIN A PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT
AGGREGATE SIGN AREA*:			
1. Maximum Number of Total Square Feet (SF)*	250 square feet including freestanding and building sign	Size is based upon the overall floor space of the center as follows: 0-50,000 sf = 200 sf > 50,000 sf = 350 sf	Not applicable
FREESTANDING SIGNS**:			
2. Freestanding Sign Maximum Square Feet	150 square feet	Varies per overall floor space of the center (See "Aggregate Sign Area" herein)	Not applicable
3. Maximum Height	20' on St. or Fed. Frontage 8' on Local Frontage	25' on St. or Fed. Frontage 15' on Local Frontage	Not applicable
4. Setback Requirements	5 feet from property line	5 feet from property line	Not applicable
5. Number of Signs Allowed*	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs	Not allowed
BUILDING SIGNS:			
1. Maximum Number of Total Square Feet	125 square feet	60 square feet	The greater of 60 sf or 5% of wall areas, allotted to the individual establishment
2. Maximum Height	Building elevation	Building Elevation	Building Elevation
3. Number of Building Signs Allowed	One per elevation	One sign per common entrance	One per building elevation per tenant
<p>*As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required. Where a billboard is to be located on a lot in accordance with the provisions of section 1511 herein, the aggregate sign area shall not exceed the combined maximum number of total square feet permitted for the billboard, as established in subsection 1511(B), and the building sign.</p> <p>**Excludes billboards. Billboards shall be subject to the provisions of section 1511 of this article.</p>			

Table 5. Sign District 3 Dimensional Standards

TABLE INSET:

SIGN DISTRICT 3 (As defined in subsection 1509[A.3])	SIGN FOR AN INDIVIDUAL ESTABLISHMENT ON AN INDIVIDUAL LOT	MAJOR SIGN FOR PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT	BUSINESS SIGN FOR AN INDIVIDUAL ESTABLISHMENT, SHOP, ETC., WITHIN A PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT
AGGREGATE SIGN AREA*:			
1. Maximum Number of Total Square Feet (SF)	100 square feet including freestanding and building signs	Size is based upon the overall floor space of the center as follows: 0-50,000 sf = 100 sf > 50,000 sf = 150 sf	Not applicable
FREESTANDING SIGNS**:			
2. Freestanding Sign Maximum Square Feet	60 square feet	Varies per overall floor space of the center (See "Aggregate Sign Area" herein)	Not applicable
3. Maximum Height	8 feet	15 feet	Not applicable
4. Setback Requirement	5 feet from property line	5 feet from property line	Not applicable
5. Number of Signs Allowed	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs	One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs	Not allowed
BUILDING SIGNS:			
1. Maximum Number of Total Square Feet	50 square feet	60 square feet	The greater of 60 sf or 5% of wall areas, allotted to the individual establishment
2. Maximum Height	Building elevation	Building elevation	Building elevation
3. Number of Building Signs Allowed	One per elevation	One sign per common entrance	One per building elevation per tenant
<i>*As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required.</i> <i>**Limited to monument and standard informational signs. Billboards and stanchion signs prohibited as provided in Table 2 herein.</i>			

Table 6. Sign District 4 Dimensional Standards

TABLE INSET:

SIGN DISTRICT 4 (As defined in subsection 1509(A.4))	SIGN FOR AN INDIVIDUAL ESTABLISHMENT ON AN INDIVIDUAL LOT	SIGNS FOR INDIVIDUAL ESTABLISHMENTS, OFFICES, SHOPS, ETC., WHICH ARE PART OF A PLANNED OFFICE, COMMERCIAL, INDUSTRIAL OR RETAIL CENTER OR PART OF A CONTIGUOUS AND ADJACENT ROW OF STRUCTURES
AGGREGATE SIGN AREA*:		
1. Maximum Number of Total Square Feet (SF)	100 square feet including freestanding and building signs	Not applicable
FREESTANDING SIGNS**:		
2. Freestanding Sign Maximum Square Feet	60 square feet	Not allowed
3. Maximum Height	8 feet	Not applicable
4. Setback Requirements	2 feet from property line	Not applicable
5. Number of Signs Allowed***	One sign structure per road frontage not to exceed the maximum allowable square footage	Not allowed
BUILDING SIGNS***:		
1. Maximum Number of Total Square Feet	100 square feet	The greater of 60 sf or 5% of wall areas, allotted to the individual establishment
2. Maximum Height	12 feet	12 feet
3. Number of Building Signs Allowed	One per elevation	One per business or occupant
<p><i>*As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required.</i></p> <p><i>**Limited to monument and standard informational signs. Billboards and stanchion signs prohibited as provided in Table 2 herein.</i></p> <p><i>***Internal illumination of building signs is prohibited. All signs shall be constructed of wood or metal material.</i></p>		

Section 1510. Imagery and illumination by sign district.

- A. *In general.* Signs for which a permit is required may incorporate a degree of variable imagery or illumination as provided within Table 7, the accompanying provisions of this section, and other applicable sections of this article.

Table 7. Imagery and Illumination by Sign District.

TABLE INSET:

	SIGN DISTRICT 1	SIGN DISTRICTS 2 & 3	SIGN DISTRICTS 4
ANIMATED	Prohibited	Prohibited	Prohibited
CHANGEABLE COPY	Prohibited	Only with permit	Only with permit
ILLUMINATION*	Only with permit (For residential developments and subdivisions, and nonresidential properties only)	Only with permit	Only with permit
LED	Prohibited	Prohibited	Prohibited
TRI-VISION	Prohibited	Prohibited	Prohibited
<i>*Subject to subsection 1510(C) and the applicable provisions contained in Tables 3, 4, 5 and 6 herein.</i>			

- B. *Changeable copy signs.* Changeable copy signs are permitted as an integral part of any permanent signs which meet all other requirements of this ordinance [article], and further subject to the following restrictions:
1. The changeable copy portion of the sign shall not exceed 50 percent of the overall display surface area of the sign, or 20 square feet, whichever is less.
 2. The total display area of any sign containing changeable copy panels shall not exceed the size limitations imposed elsewhere in this ordinance or article.
 3. Only static displays shall be permitted. Changes will be limited to the instant replacement of unrelated text, incorporating no transitional sequence between messages, such as dissolves, fades scrolling or other similar actions.
 4. Messages displayed on changeable copy signs shall change no more frequently than eight (8) seconds.
 5. Changeable copy signs will only be allowed as part of the original construction and erection of a sign which complies with the specifications required by this article, or as part of a significant structural alteration to an existing sign, and thus being an integral part of that sign, and in the case of an existing nonconforming sign such structural alteration will otherwise bring the sign into compliance with the other dimensional requirements of the Sign District within which it is located. Changeable copy signs which exceed the specifications contained herein and which are altered in form by the addition of structural materials to meet the requirements of this section are not permitted.

- C. *Illumination.* Where internal or external illumination of signs is permitted within this article, no lighting arrangement shall impair the vision of the traveling public in any way.
- D. *Reflective surfaces.* Sign faces shall not incorporate reflective surface materials which may obstruct, impair or interfere with the vision of the traveling public in any way.

Section 1511. Billboards.

- A. *General.* All signs located on sites abutting or visible from the right-of-way of roads in the state highway system shall meet all federal and state requirements necessary to obtain a permit. In the event that the provisions of this ordinance for the City of Statesboro are more restrictive than the provisions of state and federal law, then this ordinance [article] shall prevail and control.

Billboards shall be permitted only in Sign District 2 as established in subsection 1509 (A.2) of this ordinance.

- B. *Size and number.* No billboard (display area and attached trim) shall exceed 300 square feet in size. No more than one (1) sign per sign structure will be allowed to face the same direction. This provision allows back-to-back and V-shaped side-by-side signs.
- C. *Location and orientation.* Only one (1) billboard shall be allowed per platted lot. No billboard shall be placed on any lot that contains a monument or stanchion sign. Billboards shall be oriented so that the sign face projects toward the thoroughfare along which it is permitted and located.
- D. *Distance from public properties and institutions.* No billboard shall be erected within 500 feet of the nearest property line of any public park, public playground, public recreation area, public forest, public university or other public school, scenic area, or cemetery.
- E. *Radial spacing.* No billboard shall be permitted to be erected within 1000 feet of another existing billboard regardless of the jurisdiction in which the existing billboard is located.
- F. *Setback and height.* [An] outdoor advertising sign (display area) shall be set back no less than 20 feet, and no greater than 100 feet from the right-of-way line of any street or highway. The total height of the outdoor advertising sign(s) shall not be greater than 25 feet when measured from the grade level grade of the sign site.
- G. *Extrusions prohibited.* Extrusions beyond the face of the sign, excluding aprons, are prohibited.
- H. *Illumination.* All illuminated signs shall use base or top mounted lights and shall be activated by photoelectric cells. Additional lighting including but not limited to neon, animation and running lights are prohibited. No lighting shall impair the vision of the traveling public in any way.
- I. *Historic area locations prohibited.* No outdoor advertising sign shall be placed in or obstruct the view of an area of designated historical site in the city. No billboard shall be placed within 500 feet of a designated historical district or site. Historical districts and sites shall be listed in the state or national register.
- J. *Expiration of approval.* The approval for the placement of a billboard shall be void if the applicant fails to obtain a building permit within six (6) months from the date of authorization thereof or to complete erection of the billboard within six months of obtaining a permit.

Section 1512. Design, construction, and maintenance.

- A. All signs shall be designed, constructed, and maintained in accordance with the applicable provisions of the Standard Building Code and National Electrical Code as adopted by the city. All signs must be designed to withstand winds of 105 miles per hour.
- B. With the exception of temporary, special event or spectacular and window signs, all signs shall be constructed of permanent materials and permanently attached to the ground, building or any other structure.
- C. All signs shall be maintained in good structural condition, aesthetically pleasing in appearance, and in compliance with all building and electrical codes. The following are some examples of deficiencies which reflect a lack of care: rust spots; loose boards; paint or lettering faded; paint chipping or peeling; lights not working or burned out; colored or transparent panels used with backlighting which are missing, broken, faded or damaged; inspection plates loose or missing; or overall sign appearance not consistent with the other signs in the general area.

Section 1513. Existing and nonconforming signs.

- A. *Existing signs.* Signs existing and in place at the time of enactment of this ordinance [article] which were legal at the time of erection but are not in compliance with the requirements hereof are nonconforming signs. Nonconforming signs existing as of June 16, 2009, shall be exempt from fees or the requirement to apply for a permit. However, the use of any temporary or portable sign existing at the time of passage of this ordinance shall be continued or considered a nonconforming sign and not subject to the provisions of this section only for 90 days, but shall not be continued or considered a nonconforming use thereafter and shall be removed. The bolting down of signs by their construction and nature designed to be temporary shall not henceforth qualify a sign for consideration as a nonconforming sign. Any person who had a portable changeable copy sign in place on their premises at the time of enactment of this sign ordinance and which must be removed within 90 days of enactment of this ordinance, shall have a grace period of 18 months from enactment of this ordinance in which they may add a changeable copy sign as part of a significant structural alteration to an existing sign without the existing sign losing its status as a nonconforming and existing sign in the event the addition causes the existing sign to exceed the height and size restrictions of this ordinance.
- B. *Nonconforming signs.* Nonconforming signs once removed may not be replaced by signs that do not comply with the requirements of this ordinance [article]. Nonconforming signs may not be renovated in such a manner that significantly alters the nature of the sign and said sign remains in noncompliance with the requirements of this ordinance [article] following renovation. The replacement of panels which do not alter the structural composition of the signs shall not be considered a renovation that results in loss of nonconforming status, except that nothing within this provision shall infer that panel replacement may allow for an increase, change or alteration in the nonconforming characteristics of a sign, or allow for the use of replacement panels that are otherwise prohibited by this article.
- C. *Maintenance of nonconforming signs.* Nonconforming signs shall be kept in the same manner of maintenance and repair as specified for conforming signs in section 1512 of this ordinance [article].

- D. *Change of status of owner.* Replacements of or changes to a sign resulting from a change in status of the owner or lessee of premises served by a nonconforming sign subsequent to the adoption of this section shall negate the protections afforded nonconforming status and the sign shall be removed or brought into compliance with the provisions of this ordinance [article], with the following exception: The replacement of panels or other alterations to a nonconforming sign which reflect a change in the message but which do not involve a change in the basic structure or major structural components of the sign, nor which increase the height and/or square footage of the sign, shall not result in loss of status as a nonconforming use.
- E. *Unsafe nonconforming sign.* Any nonconforming sign determined to be unsafe by the zoning administrator shall be removed or rendered safe and brought into compliance with the provisions of this ordinance [article].
- F. *Damaged nonconforming sign.* Signs becoming damaged or dilapidated as a result of the passage of time may not be repaired and shall be removed. Nonconforming signs damaged by Act of God may be repaired by the owner of the sign. To the extent such a sign can be brought into conformance with the ordinance at the time of repair, the owner will be required to do so. If a nonconforming sign damaged or destroyed by Act of God cannot be brought into compliance, then the owner may be allowed to repair the nonconforming sign, but no such repair shall be considered to extend the natural life of the sign prior to its becoming damaged by the Act of God.
- G. *Conforming and nonconforming signs.* No conforming sign or advertising device shall be erected on the business premises of a sign permit holder or applicant if the permit holder or applicant maintains an existing nonconforming sign on the business premises of the sign permit holder or applicant until the nonconforming sign has been removed.
- H. *Incentives for nonconforming signs.* In the event a nonconforming sign is removed and replaced with a sign in conformance with this ordinance, the owner of the property on which the sign is placed shall be allowed a waiver of all charges due under this ordinance up to the amount equal to the costs of removal of the nonconforming sign and erection of a conforming sign. In order to qualify for the waiver, proof of costs must be presented to the zoning administrator and shall not exceed the fair market value of such costs, as determined by inquiry of the zoning administrator.

Section 1514. Violations.

Any of the following shall be a violation of this ordinance [article] and shall be subject to the enforcement remedies and penalties provided by this ordinance [article], by the zoning ordinance [this appendix], and by state law:

- A. To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the lot on which the sign is located;
- B. To install, create, erect, or maintain any sign requiring a permit without such a permit;
- C. To fail to remove any sign that is installed, created, erected, or maintained in violation of this ordinance [article], for which the sign permit has lapsed;
- D. To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this ordinance [article];

- E. Each sign installed, created, erected, or maintained in violation of this ordinance [article] shall be considered a separate violation when applying the penalty portions of this ordinance [article];
- F. It shall further be a violation of this ordinance [article] to paste, print, nail, tack or otherwise fasten any card, banner, handbill, sign, poster or advertisement or notice of any kind, or cause the same to be done, on any private property without the consent of the owner of such property. No person shall construct, erect, operate, use or maintain any sign without the written permission of the owner or other person in lawful possession or control of the property on which such structure or sign is located.

Section 1515. Enforcement and remedies.

All enforcement and remedies contained in article XIX of the zoning ordinance [this appendix] apply to this section. In addition, the following provisions shall apply:

- A. The zoning administrator shall cause to be removed any sign that endangers the public safety, such as an abandoned, dangerous, or materially electrical or structurally defective sign or a sign for which no permit has been issued when required or which is otherwise in violation of this ordinance [article]. The zoning administrator shall prepare a written citation that shall describe the sign and specify the violation involved and that shall state that if the sign is not removed or the violation is not corrected within ten days or such further time as is reasonable under the circumstances in the determination of the zoning administrator, the sign shall be removed in accordance with the provisions of this section; provided that, where a sign poses an imminent danger to the life or health of members of the public, the zoning administrator may cause the sign to be secured or removed without first affecting such notice and shall provide notice after the fact to the owner of the property and owner of the sign.
- B. All notices by the zoning administrator shall be personally served or sent by first class mail. Any time periods provided in this section shall be deemed to commence on the date received, if hand delivered, or three days after the date mailed.
- C. The notice shall be mailed to the owner of the property on which the sign is located, the owner of the sign, and the occupant of the property. If any such persons are unknown or cannot be found, notice shall be mailed to such persons' last known address, if any, and posted on the sign or on the premises.
- D. Any person having an interest in the sign or the property may appeal the determination of the zoning administrator ordering removal or compliance by filing written notice of appeal with the city administrator within ten business days after receipt of the notice. Appeals will be provided in the manner set forth in section 1503(F) of this ordinance [article].
- E. Any sign removed by the zoning administrator pursuant to the provisions of this section shall become the property of the city and may be disposed of in any manner deemed appropriate by the city. The cost of removal of the sign by the city shall constitute a lien against the property and shall be recoverable in the same manner as city property taxes. The cost of removal shall include any and all incidental expenses incurred by the city in connection with the sign's removal. In the event it is practicable to sell or salvage any material derived in the removal, the city administrator may do so at public or private sale at the best price obtainable; the city shall keep an account of the proceeds. Such proceeds, if any, shall be used to offset the costs of removal to be charged to the sign owner or property owner. Any proceeds in excess of the cost of removal shall be returned to the sign owner, if known, or, if unknown, shall be deposited in the city treasury and maintained for a period of three years. At the end of the three years, all unclaimed proceeds shall become property of the city. Where the proceeds derived from such sale are less than the cost of the removal, such deficiency shall

constitute a lien against the property on which the sign is located, such lien to be collectible in the same manner as city property taxes.

- F. Any sign erected in violation of this ordinance [article] may be removed from public property or right-of-way by duly authorized employees of the city and the responsible party may be cited for such violation.

Section 2. Should any section, subsection, or provision of this ordinance be ruled invalid by a court of competent jurisdiction, then all other sections, subsections, and provisions of this ordinance shall remain in full force and effect.

Section 3. This Ordinance shall be and remain in full force and effect from and after its adoption on two separate readings.

First Reading: June 2, 2009

Second Reading: _____, 2009

THE MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO, GEORGIA

By: William S. Hatcher, Mayor

Attest: Sue Starling, City Clerk