

Chapter 31—Sign Regulations 9/25/2005

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§31.010 Purpose and Intent

The purposes of these sign regulations are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. This sign ordinance is adopted under the zoning authority of the City in furtherance of the more general purposes set forth in the zoning ordinance.

Specifically, the Mayor and City Council find that:

- (1) Proper regulation of signs is a necessary prerequisite to a peaceable, orderly, and safely designed business environment.
- (2) An improperly regulated sign environment imposes health and safety dangers to the public.
- (3) The result of effective sign regulation will be to lessen hazardous conditions, confusion, and visual clutter, caused by the proliferation, improper placement, illumination and excessive height and size of signs that compete for the attention of pedestrian and vehicular traffic, and impede vision of traffic, traffic controls signs, and devices.

- (4) Uncontrolled and unlimited signs may result in a roadside clutter that impedes the flow of information thereby defeating the purpose of signage, and that impedes the flow of information from traffic signs and signals thereby creating hazards to drivers and pedestrians.
- (5) Uncontrolled and unlimited signs degrade the aesthetic attractiveness of the natural and manmade attributes of the community and thereby undermine the economic value of tourism, visitation, and permanent economic growth.
- (6) Through proper regulation of signs, the attractiveness and economic well being of the City of Newnan will be enhanced as a place to live, work and conduct business.
- (7) Signs provide an important medium through which individuals may convey a variety of noncommercial and commercial messages. However, left unregulated, signs can become a threat to public safety as well a traffic hazard. Such signs may also constitute an aesthetic nuisance and be a detriment to property values and the city's public welfare. The mayor and council intend by enacting this chapter to:
 - a. Balance the rights of individuals to convey their message through signs and the right of the public to be protected against the unrestricted proliferation of signs;
 - b. Further, the objectives of the city's comprehensive plan;
 - c. Protect the public health, safety, welfare, and aesthetics of the city;
 - d. Reduce traffic and pedestrian hazards;
 - e. Maintain the historical image of the city;
 - f. Protect property values by minimizing the potentially adverse effects and visual blight caused by signs;
 - g. Promote economic development; and
 - h. Ensure the fair and consistent enforcement of sign regulations.
- (8) While specifically establishing regulations to control signs within the City, it is not the intent of this Chapter:
 - (a) to regulate art and art symbols;
 - (b) holiday decorations and symbols;
- (9) Recognizing the need for certain types of signs which facilitate the safe and orderly movement of traffic, this Chapter provides for the regulation of incidental address identification and subdivision identification signs.
- (10) Recognizing the need to facilitate decreases in crime this Chapter provides for the regulation of burglar alarm/security signs.

- (11) Recognizing the historical contribution of certain structures and places to the cultural fabric of the city and the need and desire to identify same, certain provisions are made in this Chapter to allow for the identification of those structures and places.
- (12) While this Chapter prohibits certain signs from placement within the City and exempts certain signs from certain regulations of this Chapter, such exemptions are not intended to otherwise allow a sign that is prohibited.
- (13) Further, the city has an obligation and a right to protect the rights of adjoining landowners to adequate light and air, to promote desirable living conditions and the sustained stability of neighborhoods, to protect property against blight and deprivation, and encourage the most appropriate use of land, buildings, and other structures throughout the city.
- (14) Accordingly, in consideration of the city's rights and obligations to promote traffic safety, to preserve property values, to provide for the convenience and enjoyment of public travel, to eliminate annoyance to travelers, to attract tourists, residents and industry, to serve the public health, safety and morals, to advance the general prosperity of the community, and to serve the general welfare, the city hereby imposes the regulations contained in this chapter.

§31.020 Applicability-Effect

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

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

To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this ordinance;

To allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this ordinance, but without a requirement for permits;

To provide for temporary signs with and without commercial messages in limited circumstances;

To regulate signs so as to prevent the degradation of the aesthetic attractiveness of the natural and manmade attributes of the community and thereby undermine the economic value of tourism, visitation, and permanent economic growth;

To prevent the proliferation of signs which may result in roadside clutter that would impede the flow of information from businesses to consumers thereby harming the economic health of the community, and that would impede the flow of information from traffic signs and signal and therefore create hazards to drivers and pedestrians;

To lessen hazardous conditions, confusion and visual clutter caused by the proliferation, improper placement, illumination and excessive height and size of signs that compete for the attention of pedestrians and vehicular traffic, and impede vision of traffic, traffic control signs and devices;

To prohibit all signs not expressly permitted by this Ordinance; and

To provide for the enforcement of the provisions of this Ordinance.

§31.030 Definitions and Interpretation

Words and phrases used in the interpretation of sign regulations shall have the meanings set forth in this Section. Words and phrases not defined in this Section, but defined in the Zoning Ordinance of the City shall be given the meanings set forth in such ordinance. Principles for computing sign area and sign height are contained in Chapter 31, §31.040 of this Ordinance. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this Ordinance.

1. BEACON - Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zoned lot as the light source; also, any light with one or more beams that rotate or move.
2. BUILDING OFFICIAL - The Building Official of the City or his/her designee.
3. COMMERCIAL MESSAGE - Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.
4. FOOTCANDLE – A quantitative unit measuring the amount of light cast onto a given point, measured as one lumen per square foot.
5. FLAG - Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols.
6. FRAME – A complete static message on an electronic display.
7. FRAME EFFECT – A visual effect which depicts movement, fading, mosaic flips, wipes or other changing effects associated with the transition from one static message to another.
8. ILLUMINATED SIGN, DIRECT – A sign illuminated by an internal light source.
9. ILLUMINATED SIGN, INDIRECT – A sign illuminated by an external light source directed primarily toward a sign.
10. LOT – See definition of "Zoned Lot" herein.
11. LUMEN – A quantitative unit measuring the amount of light emitted by a light source.
12. MARQUEE - Any permanent, roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.
13. MEASUREMENT CONDITION – A brightness level for illuminated signs by recording the ambient light level reading for the sign at a designated

measurement distance, using a footcandle meter, while the sign is off or displaying all black. The footcandle meter should be aimed directly at the sign at the appropriate distance. A follow up recording should then be performed while the lights are illuminated white.

14. NON-COMMERCIAL MESSAGE: Any sign wording, logo or other representation promoting a place, an activity, or idea other than a commercial activity.
15. PENNANT - Any lightweight plastic, fabric, or material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind as a means of attracting attention.
16. PERSON - Any association, company, corporation, firm, organization, or partnership, singular or plural, of any kind.
17. PRINCIPAL BUILDING - A building in which the primary use of the lot on which the building is located is conducted.
18. SETBACK - The distance from the property line to the nearest part of the applicable building, structure, or sign, measured from the property line to that portion of the building, statutory or sign which is most proximate to such line.
19. SIGN - Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.
20. SIGN, ANIMATED - Any sign that uses movement or change of lighting to depict action or create a special effect or scene.
21. SIGN, BANNER - Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges or suspended from a rope, wire or string.
22. SIGN, BILLBOARD – See Sign, Highway
23. SIGN, BUILDING - Any sign attached to any part of a building, as contrasted to a freestanding sign.
24. SIGN, BUILDING MARKER - Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.
25. SIGN, CANOPY - Any sign that is part of or attached to an awning, canopy or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
26. SIGN, CHANGEABLE COPY - A sign or portion thereof with characters, letters, or illustrations that can be manually changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance.

27. SIGN, DIRECTORY - A sign used to identify the location of structures or a single structure.
28. SIGN, FREESTANDING - Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
29. SIGN, HIGHWAY – Any sign which is located adjacent to a Federal Interstate Highway and which qualify for a Special Exception Permit under Section 31.190 of this chapter.
30. SIGN, INCIDENTAL - A sign that provides information that is secondary to the use of the zoned lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives. Any commercial message on such a sign must be less than six (6) square inches in area.
31. SIGN, MARQUEE - Any sign attached to, in any manner, or made a part of a marquee.
32. SIGN, MOBILE – Any sign which is mounted or designed for mounting on wheels, or which is mounted or designed for mounting on a towed vehicle, or designed to be transported, including by trailer or in the bed of a truck, and the primary purpose of which is advertising. Mobile signs are prohibited.
33. SIGN, MONUMENT - Any sign supported by structures or supports that are placed on or anchored in, the ground and that are independent from any building or other structure. A monument sign may include individual letters, numbers, figures mounted on a surface composed of stone, brick or other permanent structures. The supporting structure must rest on the ground.
34. SIGN-MULTIPLE MESSAGE –
 - (a) A highway sign whose messages are on triangular louvered facings and are changed by electronic rotation of the louvers, or
 - (b) A highway sign that contains display surfaces composed of a series of three sided rotating slats arranged side-by-side, either horizontally or vertically, that are rotated by an electromechanical process, capable of displaying a total of three separate and distinct messages, one message at a time.
 - (c) Multiple message signs are sometimes called tri-vision signs.
35. SIGN, PORTABLE - Any sign not permanently attached to the ground or other permanent structure, or sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal, day-to-day operations of the business, then the vehicle shall be parked in a designated parking space at the location of the business and furthest from the right-of-way at the location of the business.

36. SIGN, PROJECTING - Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.
37. SIGN, RESIDENTIAL - Any sign located in a district zoned for residential uses that contains no commercial message
38. SIGN, ROOF - Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, or extending vertically above any portion of the roof.
39. SIGN, ROOF INTEGRAL - Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.
40. SIGN, SUBDIVISION – A sign located at the main entrances for identifying a subdivision.
41. SIGN, SUSPENDED - A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.
42. SIGN, TEMPORARY EVENT - Any sign that is of a non-permanent nature, used only temporarily and not permanently mounted. Temporary event signs must be constructed of wood, metal, or other durable materials in such a manner as to resist high winds. No sign that requires electricity or other power source shall be permitted. Freestanding temporary event signs shall be constructed in such a manner that incorporates a base from which no supports or feet extend which may cause pedestrians to trip. No external cables, brackets, wires or props shall be permitted as a support.
43. SIGN, TIME AND TEMPERATURE – A sign on which the only copy that has changes is an electronic or mechanical indication of time and temperature with a display area of no more than four (4) square feet.
44. SIGN, TRAILER – Any sign which is mounted or designed for mounting on wheels, or which is mounted or designed for mounting on a towed vehicle, or designed to be transported, including by trailer or in the bed of a truck, and the primary purpose of which is advertising. Trailer signs are prohibited.
45. SIGN-VARIABLE MESSAGE – A sign or portion thereof with characters, letters, or graphics that can be changed or rearranged electronically without altering the face or the surface of the sign.
 - a). Variable message signs shall only be freestanding, monument or highway signs as defined by this ordinance. The message shall remain fixed for at least ten seconds and when a message is changed, it shall be accomplished in three seconds or less. Any sign on which the message changes more than eight times per day shall be considered an animated sign. Any sign utilized lighting to simulate movement, frame effects, flashing or bursting illuminations shall be considered an animated sign. A sign on which the only copy that changes is an electronic or mechanical indications of time and temperature with a sign display area of less than

four (4) square feet shall be considered a "time and temperature sign" and not a variable message or animated sign.

b). No variable message sign shall exceed one half (0.5) maintained footcandles at any adjacent property line to a residentially zoned lot and shall not exceed two (2.0) maintained footcandles at any public right-of-way, unless otherwise specified by this ordinance.

c). Each sign must have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change.

d). The owner of the illuminated sign shall provide to the City information for a twenty-four (24) hour contact able to turn off the sign promptly if a malfunction occurs. If, at any time, more than twenty-five (25) percent of the display lights malfunction or are no longer working, the owner of the sign shall turn off the illumination display and shall make repairs to the sign within sixty (60) days or the sign will require removal.

e). Should the illumination of a sign create a complaint or at the City's request, the owner of the sign shall, within twenty-four (24) hours of a request by the City, turn off the sign until the brightness level of the sign can either be verified or corrected to be in compliance with this ordinance. The owner shall bear responsibility of the expenses necessary to ensure the brightness level of the sign meets the requirements of this ordinance.

46. SIGN, VEHICLE – Any sign painted, drawn or affixed to or on the front, side or rear of a vehicle including an automobile, truck or trailer, but not affixed in or to or mounted in or on the bed of a truck or trailer.
47. SIGN, WALL - Any sign attached parallel to, but within three 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 one sign surface.
48. SIGN, WINDOW - Any sign, picture, symbol, or combination thereof, placed inside a window or upon the windowpanes or glass and is visible from the exterior of the window or building.
49. STREET - A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles.
50. STREET FRONTAGE - The length of any one-property line of a premise, which property line abuts a street. For the purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under the zoning definition for yards.
51. TEMPORARY EVENT – An activity having a specific duration or the end or which is related to a specific action, usually lasting for only a few days or months at a time. Temporary events are included, but not limited to, such activities as:
 - a. The offering of a property or premises for sale or rent.
 - b. An election, political campaign, referendum, or ballot proposition put to the voters as part of city, county, state or federal governance.

- c. Special business promotions, such as, but not limited to, "grand openings", "close-out sales", and seasonal sales events.
 - d. Garage/Yard sales
 - e. The construction of a building or development project, or the rehabilitation, remodeling or renovation of a building.
 - f. A public announcement of a special event or seasonal activity by an individual or a non-profit organization.
52. ZONED LOT - A parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage, and use, and that can provide such yards and other open spaces as required by the zoning regulations.

§31.040 Computations

The following principles shall control the computation of sign area and sign height.

1. Computation of Area

a. Freestanding Signs

The area of a freestanding sign shall mean and shall be computed as the entire area within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure or similar character, with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such signs from the background upon which it is placed. The supports or structure upon which a freestanding sign is supported shall not be included in determining the sign area unless such supports are designed in such a manner as to form an integral part of the display; provided, however, that the surface area of the frame that is parallel to the display of the sign is no greater than twenty percent (20%) of the area of the sign displayed; and provided that the freestanding sign is no higher than six (6) feet.

b. Monument Signs

The area of a monument sign shall mean and shall be computed as the entire area within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure or similar character, with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such signs from the background upon which it is placed. The supports or structure upon which a monument sign is attached shall be included in determining the sign area whenever such supports are designed in such a manner as to form an integral part of the display; provided, however, that the area of the frame shall not be included in computing the area of the sign when the frame is composed of stone or brick and provided the frame contains or has attached no copy, words, writing, letters, or advertisement, although one trademark, insignia, coat of arms, or other similar identifying mark may be affixed to the frame, but may not be internally illuminated, and provided that the surface area of the frame that is parallel to the display of the sign is no greater than one hundred percent (100%) of the area of the sign displayed; and provided that the monument sign is no higher than six (6) feet.

c. Other Signs

The area of a sign other than a freestanding or monument sign shall mean and shall be computed as the entire area within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure or similar character, with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such sign from the background upon which it is placed. The supports or structure upon which any sign other than a freestanding or monument sign is supported shall be included in determining the sign area whenever such supports are designed in such a manner as to form an integral part of the display; provided, however, that the area of the frame shall not be included in computing the area of the sign when the frame is composed of stone or brick and provided the frame contains or has attached no copy, words, writing, letters, or advertisement, not internally illuminated, and provided that the surface area of the frame that is parallel to the display of the sign is no greater than one hundred percent (100%) of the area of the sign displayed.

2. Computation of Area of Multi-Faced Signs

The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than twenty-four (24) inches apart from any point of the sign and the angle of separation does not exceed ten (10) degrees, the sign area shall be computed by the measurement of one of the faces.

3. Computation of Height

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

4. Computation of Maximum Total Permitted Sign Area for a Zoned Lot

The permitted sum of the area of all individual signs on a zoned lot shall be computed by applying the standards contained in Chapter 31, § 31.180 of this Ordinance for the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one (1) street frontage.

§31.050 Signs Allowed on Private Property with and without Permits

1. Signs shall be allowed on private property in the City in accordance with, and only in accordance with, Chapter 31, §31.160 of this Ordinance. If the letter "P" appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column. If the letter "S" appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letter "N" appears for a sign type in a column, such a sign is not allowed in the zoning districts represented by that column under any circumstances.
2. Although permitted under the previous paragraph, a sign designated by an "S" or "P" in Chapter 31, §31.160 of this Ordinance shall be allowed only if the size, location, and number of signs on the zoned lot conform with the requirements of Chapter 31, § 31.170 and 31.180 of this Ordinance, which sections establish permitted sign dimensions by sign type, and with any additional limitations listed in Chapter 31, §31.160 of this Ordinance.

§31.060 Permits Required

1. If a sign requiring a building permit, including highway signs covered in §31.190, under the provisions of this ordinance is to be placed, constructed, erected, or modified on a zoned lot, a sign permit shall be obtained prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of Chapter 31, §31.110 of this Ordinance.
2. No sign shall be erected in the public right-of-way except in accordance with Chapter 31, §31.080 of this Ordinance.
3. No sign permit of any kind shall be issued for a proposed sign unless such sign is consistent with the requirements of this ordinance. If a proposed sign is consistent with the requirements of this ordinance, a permit shall be issued within thirty (30) days of a complete application being received by the City.
4. If a permit is not issued within thirty (30) days of receipt of a complete application by the City, then said application shall be deemed denied.
5. Appeals from the denial of an application shall be as set out in §31.200 of this chapter.

§31.070 Design, Construction, and Maintenance

All signs shall be designed, constructed, and maintained in accordance with the following standards:

1. All signs shall comply with the applicable provisions of the most current Standard Building Code, Signs and Outdoor Displays and the current edition of the Georgia State Minimum Standard Electrical Code of the City at all times.
2. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this ordinance, all signs shall be constructed of

permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

3. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this code, at all times.
4. No sign shall be constructed in such a manner which will hinder vehicle traffic or pedestrians or block any entrances or exits from any sidewalk or building or any windows, doors, or fire escapes. Each sign shall be securely erected and free of any protruding nails, tacks, and wire.
5. No sign shall be constructed with any type material, finished letters, characters or surface that will reflect sunlight or any other type of light of such an intensity to hinder vehicle traffic or in any way create a nuisance to the surrounding area.
6. A sign containing wood in its structure, face or frame or any part thereof shall be painted or stained.
7. All signs shall be constructed in such a manner and fastened in such a way to prevent movement by wind action.
8. No sign shall give off light which glares, blinds or has any adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and locations.
9. No wall sign shall cover wholly or partially any wall opening, nor project beyond the ends or top of the wall to which it is attached.
10. All temporary event signs shall be securely installed, and shall meet all applicable safety standards as prescribed by the city's current building code or electrical code.
11. All incidental signs shall be placed on private property and may not be placed within five feet of a right-of-way.
12. All signs must be placed upon a zoned lot. No sign may be placed on any lot, which lot does not meet the minimum lot requirements of the zoning ordinance and subdivision requirements or otherwise qualifies as a lot of record.
13. No message may be displayed on any portion of the structural supports of any sign.
14. All signs regulated by this chapter shall be kept clean, neatly painted, and free from all electrical and mechanical hazards, including, but not limited to, faulty wiring and loose connections, and the premises surrounding the signs shall be maintained by the owner in a sanitary and inoffensive condition, free and clear of all weeds, rubbish, and debris.

15. No sign shall be illuminated either internally or externally, in any residential district zoned except that incidental signs and subdivision signs may be externally illuminated from dusk until dawn.

§31.080 Signs in the Public Right-of-Way

Signs allowed in the public right-of-way shall be placed behind the curb or sidewalk if present. No signs shall be allowed in the public right-of-way, except for the following:

1. Permanent Signs

Permanent signs, including:

- a. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;
- b. Bus stop signs erected by a public transit company or school district;
- c. Informational signs of public utilities regarding its poles, lines, pipes, or facilities; and
- d. Awning and suspended signs projecting over a public right-of-way in conformity with the conditions of Chapter 31, §31.180 of this Ordinance.

2. Emergency Signs

Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

3. Other Signs Forfeited

Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing or maintaining such a sign the full costs of removal and disposal of such sign.

§31.090 Signs Exempt from Regulation under this Ordinance

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

1. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
2. Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the zoned lot or parcel on which such sign is located;

3. Traffic control signs on private property, such as Stop, Yield, and similar signs, which meet Georgia Department of Transportation standards and contain no commercial message;
4. Address numerals affixed to a structure on the property, or to a mailbox on the property, that are no more than five inches (5") in height; and
5. Signs evidencing the presence of a security, or alarm system, on the property that are no more than 1 square foot (1') in area.

§31.100 Signs Prohibited Under this Ordinance

All signs not expressly permitted under this ordinance or exempt from regulation hereunder in accordance with the previous section are prohibited in the city. Such signs include:

- (1) Signs imitating warning signals; signs displaying lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance or rescue vehicles; signs using words, slogans, dimensional shape or size, or colors of governmental traffic signs in such a manner as to resemble official traffic signs.
- (2) Signs with lights blinking and/or flashing in series, lines or rows;
- (3) Flashing, blinking, fluctuating or intermittent lighted signs or beacons or otherwise animated signs other than time and temperature signs;
- (4) Signs attached to trees or utility poles or boxes; signs painted on or otherwise attached to rocks or other natural objects; signs, other than those placed by a local, state or federal government, or authorized utility located within the public street right-of-way or feet of the edge of curb or closest edge of the pavement of any public street;
- (5) Signs emitting or utilizing in any manner any sound capable of being detected on a public road by a person of normal hearing;
- (6) Signs which obstruct any fire escape, any means of egress or ventilation, or prevent free passage from one part of a roof to any other part thereof; signs attached in any manner to any fire escape;
- (7) Fringe, twirling, sidewalk or curb-type signs, balloons, streamers, pennants, portable display signs, air or gas filled figures and other similar temporary event signs, other than as specifically authorized in this chapter;
- (8) Roof signs, or signs projecting above the roof line of a structure;
- (9) Signs displaying any statement, word, character or illustration of an obscene nature;
- (10) Illuminated signs from or to which direct rays of light are projected onto a lot other than on the lot where the illumination occurs;
- (11) Portable signs, other than as specifically authorized by this chapter;

- (12) Search lights or similar devices;
- (13) Benches, vending machines, trash cans, or other outdoor devices which display a commercial message;
- (14) Animated signs;
- (15) Strings of lights not permanently mounted to a rigged background
- (16) Inflatable signs or displays and tethered balloons;
- (17) Illuminated marquee, illuminated canopy, or illuminated projecting signs;
- (18) Mobile signs or trailer signs;
- (19) Vehicle signs with a total sign area in excess of ten square feet, which the vehicle:
 - a. any part of the vehicle is parked for more than three consecutive hours within 100 feet of any street right-of-way, and the vehicle is not being actively loaded or unloaded, and there are other available and accessible locations on or about the occupancy advertised where the vehicle can be parked, which are not within 100 feet of a street right-of-way and visible from such; and
 - b. is visible from the street right-of-way that the vehicle is within 100 feet; and
 - c. For more than three consecutive hours is not regularly used in the conduct of the business advertised on the vehicle. A vehicle used primarily for advertising, and not for the purpose of providing transportation for owner, employees, inventory, merchandise, supplies or materials of the occupancy advertised on the vehicle, shall not be considered a vehicle used in the conduct of business. Vehicle may not be used for off premises storage of inventory, merchandise, supplies, or materials.
- (20) All signs not specifically permitted or allowed by this chapter.

§31.110 Permits to Construct or Modify Signs

Signs identified with the letter "S" in Chapter 31, §31.160 of this Ordinance shall be erected, installed, or created only in accordance with a duly issued and valid sign construction permit from the Building Official. Such permits shall be issued only in accordance with the following requirements and procedures:

- 1. 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 detailed drawings to show the dimensions, design, structure, and location of each particular sign. One application and permit may include multiple signs on the same zoned lot.

2. Inspection

The Building Official shall cause an inspection of a new sign or for modification of an existing sign if a permit is issued during the sixth month after the 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 and with the building and electrical codes, the Building Official shall validate the previously issued building permit identifying the sign(s). If the construction is substantially complete but not in full compliance with this ordinance and applicable codes, the Building Official shall give the owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the building permit shall lapse. If the construction is then complete, the Building Official shall validate the building permit as described above.

§31.120 Temporary Event Signs Allowed, Residential, and Commercial Property

In addition to signs allowed in Sec. 31.170, signage is allowed on a property for the duration of a temporary event. Such additional signs shall not be restricted as to the message displayed on the sign, but they must comply with the provisions of this section.

Temporary event signs must comply with all requirements of this Chapter, except as modified by the provisions of this section, including prohibitions listed in Sec. 31.070. One (1) temporary event sign is allowed on a residential, commercial or industrial zoned lot subject to the following requirements:

A. Size requirements and type.

1. Freestanding signs

(a). Area of sign

- (1). Residential zoned lot. Six (6) non-illuminated square feet.
- (2). Commercial or Industrial zoned lot. Thirty two (32) non-illuminated square feet.

(b). Height of sign

- (1). Residential zoned lot. Four (4) feet in height.
- (2). Commercial or industrial zoned lot. Six (6) feet in height.

2. Wall Sign. Commercial or Industrial zoned lot. Six (6) non-illuminated square feet.

3. Banners. Commercial or Industrial zoned lot. Twenty four (24) square feet.

B. Duration

Temporary event signs may be placed on any property upon initiation of a temporary event and must be removed upon the termination of the event. Banners must follow the duration period as set forth in Section 31.120 (c). Initiation and termination of particular events shall be interpreted as follows:

- 1. Sale or lease of a building or premises. Initiation upon the availability of the

building or premises for sale or lease, and termination upon the closing of the sale or execution of the rental agreement.

2. Building construction or remodeling. initiation upon issuance of a building permit authorizing the construction, interior finish or remodeling and termination with seven (7) days after issuance of either a Certificate of Occupancy or Certificate of Completion.

3. Residential or non-residential development. Initiation upon preliminary plat or site plan approval by the City. Termination upon the sale of 75% of the lots, dwelling units or buildings in the final phase, or at the end of six (6) continuous months during which no building permits have been issued for new construction or building activity has taken place within the development of site, whichever comes first.

4. Election or political campaign. Initiation upon the filing for qualification of candidates and termination upon the final determination on each ballot issue or candidate.

5. Garage/Yard Sales. Initiation three (3) days prior to the announced date of the sale and termination at the end of the announced date.

6. Special business promotions. Initiation upon the announcement of the special sale or sales event and termination upon its completion or thirty (30) days after initiation, which occurs first. Business promotion signs sixteen (16) square feet or greater in size may not be approved more often than four (4) times each calendar year on the same property.

7. Public announcement. Initiation upon the placement of the sign and termination within thirty (30) days after placement.

C. Number of signs

Only one (1) sign related to each temporary event may be located on a lot at any one time and only one temporary event at a time is allowed on a lot, in addition to the following:

1. Sale or lease of a building or premises. On temporary event sign per lot that is available for sale or lease. For a planned center or a storefront development, one additional temporary event wall sign may be placed on the wall façade of the space that is available for sale or lease.

2. Election or political campaign. No limit.

3. Banners. One banner per street frontage, not to exceed seven (7) days per calendar year.

4. Planned Centers and Storefront Developments. Each business conducting a special business promotion event is allowed one wall temporary event sign, subject to the duration set forth in section. 31.120 (b).

D. Location

1. All temporary event signs must meet setback requirements as set forth in Sec. 31.180 of this Chapter.

2. A temporary event sign must be located at least ten (10) feet from any other sign.
3. A temporary event sign shall be erected and maintained only with the permission of the owner of the property on which the sign is to be located.

E. Permits and Sign Approval

A temporary event permit shall be required for the following signs:

1. Banners
2. Freestanding temporary event signs sixteen (16) square feet or larger in size, with the exception of event signs for sale or lease of a building or premises; and event signs for elections or political campaigns.
3. Special business promotion signs.
4. Garage/Yard sale.

§31.130 Violations

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

1. To install, create, or erect any sign requiring a building permit without such a permit;
2. To install, create, or erect any sign in a way that is inconsistent with any plan or permit governing such sign or the zoned lot on which sign is located;
3. To fail to remove any sign that is installed, created, or erected in violation of this ordinance, or for which the building permit for such sign has lapsed; or
4. 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.

§31.140 Notice of Violations

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

§31.150 Nonconforming Signs

Signs which, on the date of adoption of this ordinance, were approved and legally erected under previous sign restrictions, and which became or have become nonconforming with respect to the requirements of this revised and restated sign ordinance, may continue in existence subject to the following restrictions:

1. In all use districts, signs which, on the effective date of this article, become non-conforming with respect to the requirements set forth herein may continue in existence provided that the size of the sign is not increased beyond that existing as of the effective date of this article.
2. A non-conforming sign shall not be replaced by another non-conforming sign, except that the substitution or interchanging of poster panels, painted boards or demountable material on non-conforming signs shall be permitted; except where changed conditions beyond the control of the owner render the sign nonconforming or warrant the sign’s repair; and except where the sign or portion thereof may be altered to decrease its degree of nonconformity under regulations contained in Section 33.100.

§31.160 Signs Permitted by Type and Zoning District

1. Residential, Commercial and Industrial Districts.

SIGN TYPE	ZONING DISTRICTS													
	RU-I RS-20 RS-15 RU-7	RML	RMH	RU-2	OI-1	OI-2	CBD	CSN	CGN	CHV	CCS	CUN	ILT	IHV
A-Frame, T-Frame, Menu & Sandwich Board (j)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Animated	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Banner	N	N	N	N	S	S	S	S	S	S	S	S	S	S
Building Marker (a)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Canopy	N	S	S	S	S	S	S	S	S	S	S	S	S	S
Changeable Copy	N	N	N	N	S	S	S	S	S	S	S	S	S	S
Directory (b)	N	S	S	S	S	S	S	S	S	S	S	S	S	S
Flag (c)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Freestanding (d)	N	S	S	S	S	S	S	S	S	S	S	S	S	S
Incidental	N	S	S	S	P	P	P	P	P	P	P	P	P	P
Marquee	N	N	N	N	S	S	N	S	S	S	S	S	S	S
Monument	N	S	S	S	S	S	S	S	S	S	S	S	S	S
Pennant	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Portable	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Projecting(e)	N	N	N	N	S	S	S	S	S	S	S	S	S	S
Residential (f)	P	P	P	P	N	N	N	N	N	N	N	N	N	N
Roof	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Roof Integral	N	N	N	N	N	N	N	S	S	S	S	S	S	S

SIGN TYPE	ZONING DISTRICTS																
	RU-1	RS-20	RS-15	RU-7	RML	RMH	RU-2	OI-1	OI-2	CBD	CSN	CGN	CHV	CCS	CUN	ILT	IHV
Subdivision Signs (g)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Suspended	N	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Time & Temperature (h)	N	N	N	N	S	S	S	S	S	S	S	S	S	S	N	N	N
Variable Message (i)	N	N	N	N	S	S	S	S	S	S	S	S	S	S	N	N	N
Wall	N	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Window (k)	N	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S

P = Allowed Without Sign Permit
S = Allowed Only With Sign Permit
N = Sign Not Allowed

- (a) May include only building name, date of construction, or historical data on historic site; must be cut or etched into masonry, bronze, or similar material.
- (b) Only address and name of occupant allowed on sign.
- (c) Flags provided that such flag does not exceed forty (40) square feet in area and shall not be flown from either a vertical flagpole or a mast arm flagpole. The top of a vertical flagpole shall not be more than twenty (20) feet in height. Mast arm flagpoles shall not exceed 10 feet in length. There shall be no more than three vertical flagpoles per lot and no more than four flags may be flown from per lot. The hoist side of a flag being displayed on a vertical flagpole cannot exceed twenty (20) percent of the height of the flagpole. There shall be no more than two mast arm flagpoles to a building or per principal living space or per business. Mast arm flagpoles must be securely attached to a structure. Mast arm flagpoles cannot extend into the public right-of-way, or impede any sidewalks or foot traffic areas. No more than one flag shall be flown on a mast arm flagpole and the hoist side of the flag shall not exceed forty (40) percent of the length of the pole. Flags must be connected to a pole on the hoist side and the flag cannot be extended or supported by artificial means or mechanical devices in a manner that would extend the flag perpendicular to the flag pole or mimic the effect that wind or some other natural means is extending the flag. Any commercial message wording shall not be more than ten (10) percent of the square foot area of the flag. Commercial logos cannot be more than forty (40) percent of the square foot area of the flag. The combined square footage of both commercial logos and message on a single flag cannot exceed fifty (50) percent of the square foot area of the flag. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such.
- (d) Freestanding highway signs are only permitted by special exception.
- (e) Height above sidewalks shall be a minimum of eight feet six inches (8'6"). Sign shall not project past the sidewalk.
- (f) No commercial message of any kind allowed on sign. One (1) per lot not to exceed three (3) square feet in area and four (4) feet in height.
- (g) Permanent subdivision signs may be placed at all major entrances. However, no permanent subdivision sign may be placed closer than five (5) feet to the right-of-way. No permanent subdivision sign erected shall be maintained by the City of Newnan. Permanent subdivision signs shall be erected under the following conditions:

- 1) All signs are placed in an acceptable easement authorized for signage, not on public right-of-way;
 - 2) No more than two (2) signs per entrance;
 - 3) Display surface area shall not exceed thirty two (32) square feet;
 - 4) Sign shall not be illuminated from the interior of the sign;
 - 5) Shall be no larger than six (6) feet in height.
- (h) Time and temperature signs shall be permitted only in commercial districts and shall be located no closer than 1000 feet from another time and temperature sign. No premises shall be allowed to erect a time and temperature sign in addition to the number and size limitations for such premises. All time and temperature signs must be included as part of allowable signage for the premises.
- (i) Variable message signs that do not constitute animated signs shall be allowed in commercial districts of the city provided the variable message sign does not exceed size and height limits for freestanding signs, and no variable message sign shall be allowed on a sign for which a special exception permit is required.
- (j) A-Frame, T-Frame, sandwich and sandwich board signs shall not exceed four (4) feet in height and eight (8) square feet in area and are limited to one sign per property or one sign per business establishment in a planned center or storefront development. Such signs may only be displayed during the operating hours of the business being advertised. Within the Central Business District (CBD), the signs must be positioned against a building and cannot be positioned in a sidewalk or curb.
- (k) One (1) window sign per street frontage shall be permitted per business establishment and shall be a maximum of six (6) square feet.

2. Where a sign is permitted under this ordinance, any non-commercial message may be displayed on said sign in lieu of a commercial message.

3. Planned Development Districts

- a. PDR, Planned Residential Development District: For lots that are zoned PDR, the sign requirements of the RS-20 district will apply.
- b. PDC, Planned Commercial District: For lots that are zoned PDC, the sign requirements of the CSN district will apply.
- c. PDS, Planned Shopping Center District: For lots that are zoned PDS, the sign requirements of the CCS district will apply.
- d. PDO, Planned Office Development: For lots that are zoned PDO, the sign requirements of the OI-1 district will apply.
- e. PDI, Planned Industrial Developments: For lots that are zoned PDI, the sign requirements of the ILT district will apply.

4. Other Districts

- a. For lots that are zoned MXD-1 or, MXD-2, the sign requirements of the underlying zoning classification shall apply. For example, if a lot is zoned ILT then it is rezoned under the MXD-1 overlay district, the sign requirements of the MXD-1 district shall apply.
- b. No sign shall be allowed in the OSD-1, OSD-2, OCR, and FHD districts except as otherwise provided in the district regulations.

§31.170 Number of Permanent Signs Permitted

1. Only one (1) sign on a zoned lot or per two hundred (200) feet (or major fraction thereof) of street frontage shall be permitted in the RS-20, RS-15, RU-7, RU-I, RU-2, RML, and RMH zoning districts.
2. Only one (1) freestanding or monument sign per lot or two hundred (200) feet (or main fraction thereof) of street frontage of the lot shall be permitted in the OI-1, OI-2, CSN, CUN, CCS, CBD, CCN, CHV, ILT, and IHV zoning districts, except that separate requirements may be applied for each street on which a corner lot or double-frontage lot faces.
3. Only one (1) building sign permitted per street frontage per business establishment.
4. Only one (1) window sign per street frontage shall be permitted per business establishment and shall be a maximum of six (6) square feet.
5. Lots fronting on two (2) or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one (1) street in excess of that allowed for lots with only one (1) street frontage.
6. In addition to the limitation on the number of signs set forth in this Section, one (1) directory sign may be permitted for lots with multiple establishments zoned commercial or industrial.
7. In addition to any other Monument signs authorized by this Chapter on a commercial zoned lot, if such lot contains a business premises where materials are delivered at a drive thru delivery point other than on the front side of the building, then one additional monument sign per delivery point shall be allowed to be located on the property in the side or rear yard; no such sign shall exceed thirty (32) square feet in sign area nor six (6) feet in height. The location of the sign on the lot shall be approved as a part of the site plan review process.
8. In addition to the limitation on the number of signs set forth in this Section, a temporary sign may be permitted for lots in accordance with Section 31.120 of this Chapter.

§31.180 Dimensions and Location of Signs

1. Area (square feet)
 - a. The maximum square footage of any sign, except building, window, and directory signs, and temporary signs in accordance with Section 31.120 of this Chapter, shall be:
 - 1) Sixteen (16) square feet in the all residential zoning districts;
 - 2) Thirty-two (32) square feet in the OI-1, OI-2, CSN, CUN, and CBD zoning districts; and
 - 3) Fifty (50) square feet in the CCS, CGN, CHV, ILT, IHV zoning districts.

For lots that are zoned PD, the preceding district regulations set forth in §31.160(3) will apply depending on the nature of the Planned Development

- b. The maximum area of a building or wall sign shall be ten (10) percent of the total area of the wall (including window and door areas) of which such sign is a part or to which each such sign is most nearly parallel; provided, however, that in no instance shall the building sign exceed 75 square feet in CSN, CUN, CBD, OI-1, and OI-2 zoning districts and 150 square feet in CCS, CGN, CHV, ILT and IHV zoning districts.
 - c. The maximum area of a directory sign shall be six (6) square feet.
 - d. The maximum area of an incidental sign shall be four (4) square feet.
 2. Height
 - a. The maximum height of any sign except temporary signs in accordance with Section 31.120 of this Chapter shall be:
 - 1) Five (5) feet in the residential zoning districts except RML and RMH zoning districts; and
 - 2) Six (6) feet in the RML, RMH, OI-1, OI-2, CCS, CGN, CHV, CSN, CUN, CBD, ILT, and IHV zoning districts.

For lots that are zoned PD, the preceding district regulations set forth in §31.160 (2) will apply depending on the nature of the planned development.

3. Setback

Each sign must have the following setbacks from any right-of-way:

- a. Ten (10) feet from the pavement, but must be five (5) feet outside of the right-of-way in the residential, OI-1, OI-2, CCS, CGN, CHV, CSN, CUN, CBD, ILT, and IHV zoning districts.
- b. Sixty (60) feet from any Federal Interstate Highway.
- c. For lots that are zoned PD, the preceding district regulations set forth in §31.60 (2) will apply depending on the nature of the Planned Development.
- d. For non-residential lots, signs must follow the side and rear setbacks established by the underlying zoning of the lot where the sign will be located.

4. Location

In addition to the foregoing setback requirements, no sign shall be permitted at the intersections of streets or streets and railroad rights-of-way within a triangular area defined as follows:

- 1) Beginning at a point on the curb line of one street, which point is twenty (20) feet from the intersection with the curb line of the other street; then along the curb line to said intersection; then along the curb line of the other street twenty (20) feet; then straight across the corner to the beginning point.
- 2) Where there is no curb, measurements shall be along the edge of pavement. A railroad right-of-way shall be considered the same as a curb line.

All permanent freestanding or monument signs must be at least fifty (50) feet from any other permanent freestanding or monument sign on the same lot.

§31.190 Special Exceptions

1. Lots which are zoned CSN, CCS, CGN, CHV or PDC and which have at least four hundred (400) feet of frontage on a Federal Interstate Highway may obtain a special exception permit for one (1) free standing sign with a maximum area of four hundred (400) square feet. The height of the highway sign shall not exceed sixty-five (65) feet. The maximum setback from any Federal Interstate Highway is one hundred fifty (150) feet. The minimum setback from any Federal Interstate Highway is sixty (60) feet. The minimum setback from any other public street right-of-way or property line is forty (40) feet.

2. Highway signs meeting the standards as a multiple message sign as defined in §31-030 (27) shall be permitted under the following conditions:
 - a. each message shall remain fixed for at least ten seconds;
 - b. when a message is changed, it shall be accomplished in three seconds or less;
 - c. no such sign shall be placed within 5,000 feet of another multiple message sign on the same side of the highway;
 - d. any such sign shall contain a default design that would freeze the sign in one position if a malfunction occurs;
 - e. any maximum size limitations shall apply independently to each face of a multiple message sign; and
 - f. a multiple message sign may be erected as two back to back sign faces, provided that both sign faces shall be part of the same sign structure and are not more than twenty-four (24) inches apart, measured from any point on the sign faces; and the angle of separation between the faces does not exceed ten (10) degrees. No sign faces shall be stacked one on top of the other, or placed side by side

3. Highway signs meeting the standards as a variable message sign as defined in Sec. 31.030 (45) shall be permitted under the following conditions:
 - a. Highway variable message signs shall only display static images. Each individual static message must be displayed for not less than ten (10) seconds with each transitional change occurring within three (3) seconds, without limitation on the number of changes per day.
 - b. Shall comply with the conditions as set forth in Section. 31.030, (45), (c, d & e).

c. Shall not operated at a brightness level of more than 0.20 footcandles above ambient light levels as measured from the following distances:

Sign (Sq. Ft.)	Distance (Feet)
less than 400	150
400	200

4. No animated sign or variable message sign shall be granted a special exception permit under this section.

§31.200 Appeals from decision of Building Official

1. It is the intention of this ordinance that all questions arising in conjunction with the administration, interpretation, and enforcement of this Article shall be initially determined by the Building Official. All decisions by the Building Official to deny an application for a sign permit shall be in writing and forwarded to the applicant within thirty (30) days of the receipt of a completed application by the City.
2. Any decision by the Building Official to deny a sign permit application may be appealed to the Board of Zoning Appeals provided that a written notice of appeal is received by the Board of Zoning Appeals within ten (10) days of the applicant's receipt of the Building Official's decision.
3. Once a notice of appeal is received, the matter shall be placed on the agenda of the next regular meeting of the Board of Zoning Appeals; provided, however, that the Board of Zoning Appeals shall decide the appeal within thirty (30) days of the receipt of the written notice of appeal from the applicant. The decision of the Board of Zoning Appeals shall be in writing, and shall be final.
4. Any person aggrieved by the decision of the Board of Zoning Appeals shall have the right of certiorari to the Superior Court within thirty (30) days after the written decision of the Board is received by the applicant.

§31.210 Variances

1. Variances from the provisions of this Chapter shall be applied for in accordance with the provisions regarding variances in the Zoning Ordinance of the City of Newnan.
2. Standards for approval of a variance for signs.

In lieu of the standards for granting or denying variances set forth in the Zoning Ordinance of the City of Newnan, the following standards shall be applicable with respect to the granting or denial of variances under this Chapter. Variances from the provisions of this Chapter shall be limited to the following hardship situations:

- a. Where the proximity of existing signs on adjoining lots causes the subject property to be ineligible, due to spacing requirements, for a sign of the type sought; or
- b. Where visibility of a conforming sign from the public street and within fifty (50) feet of the proposed sign would be substantially impaired by existing trees, plants, natural features, signs, buildings or structures on a different lot; and
 - i. Placement of the sign elsewhere on the lot would not remedy the visual obstruction; and
 - ii. Such visibility obstruction was not created by the owner of the subject property; and
 - iii. The variance proposed would not create a safety hazard to traffic.

Variations shall be limited to the minimum relief necessary to overcome the hardship. No variance shall be granted to allow a greater number of signs, or greater size of sign, than would be allowed if the hardship did not exist or permit a type of sign which otherwise is not permitted in the zoning district involved.

§31.220 Severability

In the event any section, subsection, sentence, clause, or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions of the other sections, subsections, sentences, clauses, or phrases of this ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part thereof. The City Council hereby declares that it would have passed the remaining parts of this ordinance or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.