

## Chapter 129 SIGNS

### ***ARTICLE I. TITLE, PURPOSE, JURISDICTION, COMPLIANCE RESPONSIBILITY***

#### **Sec. 129-1. Title.**

This chapter shall be known as the Sign Ordinance of Dawson County, Georgia and will be referred to as "the Sign Ordinance."

#### **Sec. 129-2. Purpose.**

The sign chapter within Dawson County is necessary in the public interest to:

- (a) Protect property values;
- (b) Protect the public from damage or injury caused or partially attributable to distractions or obstructions from improperly designed or situated signs;
- (c) Maintain the legibility and effectiveness of signs;
- (d) Create and maintain high quality signage;
- (e) Eliminate excess signage;
- (f) Protect the right of citizens to enjoy Dawson County's natural scenic beauty;
- (g) Encourage business and tourism; and
- (h) Regulate the construction, erection, maintenance, and size of signs.

#### **Sec. 129-3. Jurisdiction.**

This chapter applies to all signs in the unincorporated areas of Dawson County Georgia.

#### **Sec. 129-4. Compliance.**

All signs must be in compliance with the provisions of the Dawson County Minimum Standards Code for Construction and the Dawson County Land Use and Land Development Resolutions adopted by Dawson County.

#### **Sec. 129-5. Responsibility.**

It shall be both the property owner's and the sign owner's responsibility to maintain and ensure conformity with the provisions of this chapter.

#### **Sec. 129-6. Message substitution.**

A non-commercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed non-commercial message if the sign structure or mounting device complies with the provisions of this sign chapter without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to

the contrary within this chapter. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech or the favoring of any particular non-commercial message.

### **Sec. 129-7. Findings on the public health, safety, and welfare rationales of sign regulations.**

Building code requirements address many public concerns about dangerous signs. Appendix H of the 2012 International Building Code is supposed to ensure that they will not pose a fire hazard and are appropriately anchored or secured so that they do not fall or blow down. However, Appendix H does not regulate the location of signs, except to prevent them from interfering with an entryway, opening required for ventilation, or fire escape (International Building Code. 0121994. Appendix H, Section H103.1, Location Restrictions).

Sign regulations achieve public safety rationales not achieved by the standard building code. Without a sign ordinance, signs can pose a clear danger to public safety. It has long been recognized that signage controls are needed to promote traffic safety and avoid traffic accidents. A 1980 Federal Highway Administration study found a positive correlation between billboards and accident rates (Scenic America. Fact Sheet (1): Billboard Control: Fighting Visual Pollution, <http://www.scenic.org/factl.htm>).

Signs too close to the road can cause accidents. Without additional regulation, signs can be placed dangerously close to rights-of-ways in locations where they might be struck by an oncoming vehicle using the road or having to veer off the road.

Signs can impair visibility. The placement of signs can interfere with the sight of motorists trying to exit a driveway onto a public road. Traffic safety is improved by restricting the size, height, and spacing of signs.

Signs distract motorists. By their very nature, signs are designed to direct attention to something and distract motorists to view a message or turn off the roadway and into a property to frequent a business, place, or activity. To the extent that signage captures the sight and attention of a motorist, it distracts motorists from the primary purpose of safely maneuvering a vehicle along the road.

Signs can confuse motorists by mimicking traffic safety signals and signs. Motorists might confuse signs that contain flashing or blinking red, green, or yellow lights (such as a lighted portable sign adjacent to the road) with roadway traffic signals, emergency vehicles, or other hazards. Signs constructed of shapes like an octagonal "stop" sign might also impair public safety by confusing the motorist.

Limitations on window signs can increase visibility from the public right-of-way and thus deter crime and robberies. Sign controls that limit the amount of storefront window and door areas that can be covered with signs enhance visibility of activities within the store or building. Limits on window signs can provide for an appropriate minimum of exterior visibility and thus increase public safety of commercial areas through a reduction in crime potential.

Signs can degrade property values. A principal purpose of land use regulations, including sign controls, is to protect and preserve property values. There is no question that signs affect

the character of districts and the value of buildings, or that they are not appropriate in different parts of a community.

The size, height, materials of construction, location, condition, and attributes of signs can have an impact on surrounding and nearby land uses. For instance, if signs were unregulated, large, tall signs could be erected in the county's single family residential districts. Such signs, if erected, would be out of character with residential neighborhoods and could result in the lowering of property values for residential use. As another example, blighted signs and antiquated signs and sign structures (i.e., the pole with a blank structure for a sign face) can contribute to an overall image of blight and a reduction of property values in declining areas, if not addressed and removed via sign controls. Dawson County's sign regulations are needed to ensure that signage is compatible with its surroundings and does not take away from the character of particular districts.

Unregulated signage can degrade the utility of public safety signs. In some places, unregulated signs can reduce the effectiveness of signs needed to direct the public due to competition with other signs and the resulting reduction in visibility of public purpose signs.

The Federal Communications Commission regulates our air waves and television stations and the content that passes through them. Aside from the Highway Beautification Act of 1965, there is little if any federal involvement in the regulation of signs. Signs are one of the most obtrusive forms of advertising. Signage is probably the only type of advertising that cannot be turned off or rejected by the consumer. Radio advertisements can be avoided by turning off the radio. The same is true with television advertisements; we flip channels or take a break when television commercials come on. Junk mail can be thrown away. We quickly flip past the advertisements in our favorite magazine when we are disinterested. Phone solicitations can be avoided with "caller identification" or terminating the conversation. The same cannot be said of outdoor advertising structures and commercial signs. One's vision of signage cannot be turned off. We are captivated by signage when we drive down the road. How do you avoid signs? We must keep our eyes open to drive and cannot block out signs from our peripheral vision. Perhaps one could take an alternative route that is not developed with signs, but that is not always feasible. Absent federal and significant state regulation, it is in the public interest for cities and counties to control signage.

Signs derive their value from public improvements. Businesses locate, and signs are constructed, because of the access the community provides to business locations. It is precisely these types of advertising that are the principal target of local sign regulation - the signs controlled locally are those which are visible from public ways. It is the public way that creates the value for the person erecting the sign, and visibility from the public way is what creates the problems which give rise to the need for sign controls. This is a sound rationale for sign regulation. It logically follows that, because the public way provides value, the public therefore has a right, and indeed an obligation, to control the problems that arise from creating that value.

Unregulated signs adversely impact public investments. Sign regulation helps to assure that public benefits derived from expenditures of public funds for the improvement and

beautification of streets and other public structures and spaces are protected. Unregulated signs have the potential to negate those public investments, as well.

**Sec. 129-8. Findings on the business interest rationales of sign regulations.**

Sign regulation is in the interest of businesses. One often overlooked justification for the regulation of signs is that sign regulations benefit those businesses that seek to advertise. Unregulated competition among business results in too many signs and can reach a point of diminishing returns where individual business signs are not adequately visible. Patrons of individual businesses located along the unregulated commercial strip may miss their destination because they cannot find the particular business in the sea of signage. The unregulated commercial strip signage also can work to the detriment of individual businesses in that they are forced to erect larger and more costly signs to outdo their neighboring businesses and competitors. Therefore, sign regulations benefit individual business owners.

The lack of sign controls causes uncertainty among prospective business owners. Dawson County's sign ordinance provides prospective businesses with guidance on how much signage they may have, where it is allowed to be located and what types of signs are permitted. Without sign controls, business owners lack such guidance. Such a situation could have detrimental impacts on businesses, either through inequitable treatment or a delay in the time involved in the permitting of signs. Such potential detrimental impacts would not exist or would be mitigated with a clear set of sign regulations.

**Sec. 129-9. Findings on the aesthetic rationales of sign regulations.**

There are many reasons to justify the county's sign ordinance. However, among the most relevant reasons are to promote and ensure the aesthetics of the community. In the earliest days of sign regulations, relying on aesthetics as a rationale could not legally justify local sign controls. The United States Supreme Court began a slow transformation, from its previous position that aesthetics alone could not justify land use regulations, to a position that aesthetic considerations were legitimately within the scope of police power. In 1954, Justice Douglas found the following: The concept of public welfare is broad and inclusive. The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully controlled (*Berman v Parker* 348 U.S. 26, 75 S. Ct. 98, 99 L. Ed. 27 (1954)).

Sign regulations help communities maintain their scenic heritage and unique character. Without Dawson County's brand of sign regulation its commercial areas will likely end up looking like any other place. Signs can interfere with scenic views. The appearance of the community, which is substantially influenced by signs, is essential to the county's long-term economic viability and helps determine how residents and visitors alike perceive it. Sign control is an integral part of improving visual character and quality of life.

**Secs. 129-10—129-30. Reserved.**

## **ARTICLE II. DEFINITIONS**

### **Sec. 129-31. Purpose.**

The purpose of article II is to define specific terms for use in enforcement and interpretation of the sign ordinance. When construing the terms of this chapter, the word "shall" is deemed mandatory not discretionary. The word "may" is permissive.

### **Sec. 129-32. Definitions.**

The following words that are used in this chapter shall be deemed to have the following meaning(s), unless the context requires otherwise:

*Awning* shall mean a cloth, plastic or other non-structural covering attached to a building when the same is so erected as to permit its being raised or retracted to a position against the building when not in use.

*Banner* shall mean a cloth, plastic or paper sign characteristically suspended along or across any private street, from a building fronting a street or towed by or attached to an aircraft or other mobile machinery.

*Beneficial use* shall mean person or persons deriving the proceeds or other advantages from the erection or operation of sign.

*Canopy* shall mean a non-retractable structure, other than an awning made of cloth, metal or other material, with frames attached to a building and carried by a frame supported by the ground or the building.

*Canopy Sign* shall mean sign affixed to, imposed upon, or painted on any roof-like structure either permanently or temporarily extended over a sidewalk or walkway, which can be mounted flush or suspended. A flush canopy sign is one that is mounted in such a manner that a continuous plane with the canopy is formed. A hanging canopy sign is one suspended from beneath the canopy.

*Changeable copy sign* shall mean a sign whereon provision is made for letters or characters to be placed in or upon the surface area either manually or electronically to provide a message or picture.

*County* means the unincorporated areas of Dawson County, Georgia.

*County Board of Commissioners* or *Commissioners* means the Dawson County Board of Commissioners.

*Development Entrance Sign* A sign located on either side of an intersection of the driveway, road, or entryway of a residential subdivision, or a multi-family development, or a commercial/industrial development with a county-maintained road or state route.

*Directional Sign* shall mean a sign, no larger than two square feet for projects where circulation is complex and traffic must proceed through the site along a specific path for service.

*Electronic Sign* shall mean a sign whose message may be changed at intervals by computer controller, microprocessor controller or remote control, and whose message is displayed through the use of LED, LCD, or other similar technology, including devices known as commercial electronic message signs, and digital signs.

*Face or facing* shall mean the surface or plane of the sign upon, against, or through which a message or picture is displayed.

*Flashing sign* shall mean any sign whose illumination is not kept constant in intensity at all times when in use, and exhibits sudden or marked change in lighting effect.

*Freestanding canopy* shall mean a self-supported, open-air structure with a roof which protects goods/services or people which are underneath from direct exposure to rain or sunshine.

*Height* shall mean the vertical distance from the grade at the base of the sign to the highest point on the sign unless otherwise specified in the ordinance.

*Illuminated sign* shall mean any sign that has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes as a part of the sign or by accessory flood or spotlights.

*Individual lot* shall mean a lot of record that is not part of any other overall development and where the lot is owned by one person, entity or corporation and where only one primary structure will be located.

*Lot* shall include the words *piece*, *plot* and *parcel*.

*May* is permissive.

*Monument sign* shall mean a freestanding sign where the base of the sign structure is on the ground; with a solid-appearing base with no open space between the ground and the sign for the entire width of the sign.

*Name plate* shall mean a sign no larger than two square feet placed on the front of a premises, multi-use building or shopping center.

*Official signs and notices* mean signs posted by authorized persons performing official governmental duties.

*Out parcel* shall mean a lot of record or leased lot that is part of an overall development and where only one primary structure will be located.

*Permanent* shall mean permanently affixed to the building or ground, intended to last indefinitely without change, lasting a relatively long time.

*Permanent window signs* shall mean any letters, words, or symbols which are displayed on and permanently attached to the window glass of a structure or displayed permanently within the building but visible through the window primarily to attract the attention of the passing public. Such signs shall be deemed wall signs.

*Person* shall mean and include any individual, firm, partnership, association, corporation, company, or organization of any kind.

*Planned center* shall mean a building or group of buildings in common ownership or condominium ownership developed on one lot, which may include buildings with more than one tenant. Multi-tenant buildings singularly or in a group may be considered planned centers if the following provisions apply:

- (1) Building size of at least 25,000 sq. ft.
- (2) The building is intended for multiple tenants (i.e., constructed with fire wall separations and has separate outside entrances for each tenant).
- (3) Each tenant in a wholly enclosed space separate from other tenant space (i.e., no sharing of space).
- (4) A minimum of five tenants are included in the building.
- (5) Accessory uses. Uses that are related but subordinate to the primary use (based on square footage), may not be counted as a separate tenant.

*Planning Commission* means the Dawson County Planning Commission.

*Shall* is mandatory, not discretionary.

*Sight Triangle.* A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

*Sign* shall mean a device designed to inform or attract the attention of the public.

*Sign, abandoned.* A sign or sign structure on a site where all buildings have been demolished or removed.

*Sign, animated or moving.* Shall mean any sign or part thereof that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation.

*Sign, awning.* See Canopy Sign.

*Sign, face.* The surface or plane of the sign upon, against, or through which a message is displayed or illustrated. The sign face area shall constitute the entire face of the sign including any illustrations and script and any framing, trim or molding, however, specifically excluding the support structure (i.e., poles, monument base, etc.). Ground mounted signs shall be limited to two faces.

*Sign, illegal.* See article V of this chapter.

*Sign, non-conforming* shall mean any sign legally existing prior to the adoption of this chapter that does not conform to the requirements of the zoning district in which it is located.

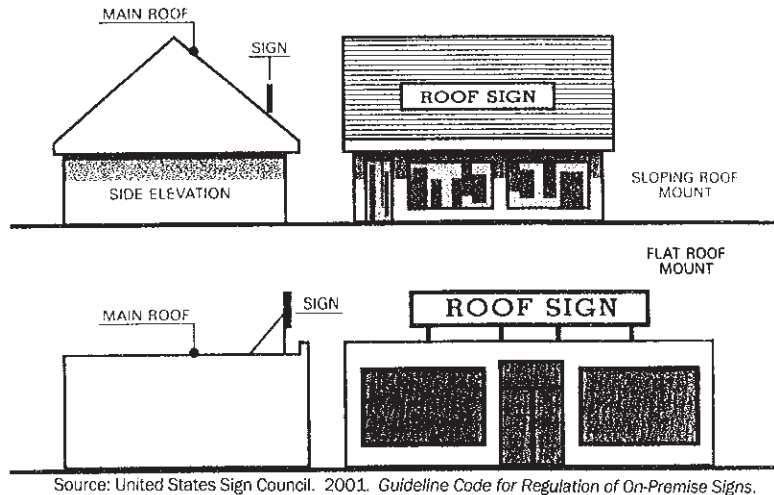
*Sign, owner* shall include the person receiving benefit from the sign and/or the property owner or, lessee.

*Sign, pole.* A sign that is mounted on a freestanding pole or other support that is not itself an integral part of the sign.

*Sign, portable.* Any sign that is not permanently attached to the ground, a structure, or a building that can easily be moved from one location to another, with or without wheels. A-frame signs and trailer signs are examples of portable signs.

*Sign, prohibited.* See article V.

*Sign, roof.* Shall mean a sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.



Source: United States Sign Council. 2001. *Guideline Code for Regulation of On-Premise Signs.*

*Sign, standard* shall mean a sign with an area of not greater than six square feet with a sign face made for short-term use that when erected stands at a height no greater than three feet and is mounted on a stake or metal frame with a thickness or diameter not greater than one and one-half inches.

*Sign, temporary* shall mean any sign constructed of an impermanent material not permanently attached to the ground or a building.

*Sign, wall* shall mean any sign attached to or painted or printed upon the exterior vertical side (wall) of a building in such a way that the wall becomes the supporting structure, not including temporary signs placed on windows but including signs placed on canopies and awnings attached to the exterior vertical structure (wall).

*Sign, window.* A sign affixed to the interior or exterior of a window or placed immediately behind a window pane so as to attract the attention of persons outside the building.

*Structure* shall include the words *building* and *sign*.

*Temporary* shall mean having or suggesting a non-durable character or a limited or short-term period of use.

*Used for* shall include the phrases *arranged for* and *designed for*.

*Visible* means capable of being seen (whether or not legible) or noticed without visual aid by a person with normal visual acuity.

**Secs. 129-33—129-52. Reserved.**



### **ARTICLE III. GENERAL PROVISIONS**

#### **Sec. 129-53. Purpose.**

The purpose of article III is to provide general regulation for all signage within the unincorporated portions of Dawson County.

#### **Sec. 129-54. Sign maintenance.**

Any sign not meeting the following provisions shall be repaired or removed within 30 days after the receipt of notification by the county manager or designee or his authorized representatives.

- (a) Undergrowth vegetation around the sign shall be properly maintained.
- (b) All damaged panels that create a safety hazard or detract from the surrounding aesthetics must be replaced as soon as discovered.
- (c) All sign copy shall be maintained securely to the face, and all missing copy must be replaced.
- (d) All structural defects that create a safety hazard shall be promptly repaired.
- (e) Cracked or peeling paint on the face or supporting structure shall be refurbished and/or repainted.

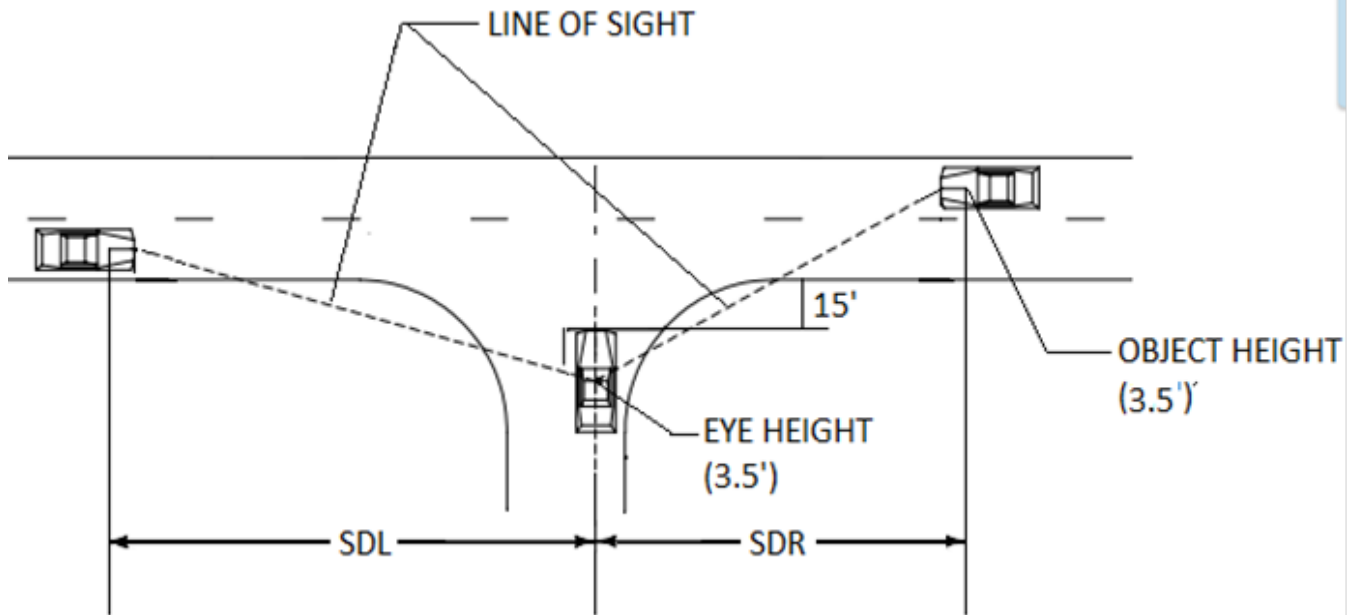
#### **Sec. 129-55. Reserved.**

#### **Sec. 129-56. Sign in or over public right-of-way.**

No sign shall be allowed to project in or over a public right-of-way or easement over or through which the general public maintains a right of access.

#### **Sec. 129-57. Sight triangle.**

Signs shall not obstruct the view of the street intersection Sight Triangle.



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**Sec. 129-58. Sign face area.**

The sign face area shall be the entire face of the sign including the advertising surface and any framing, trim or molding; the support structure (i.e., poles, monument base, etc.) shall be excluded in measuring the sign face area. Sign area shall be measured by encompassing all signage elements.

**Sec. 129-59. Electronic (LED) signs.**

Electronic (LED) signs must comply with the following:

- a. Only freestanding monument style signs shall be used as electronic signs.
- b. Electronic signs shall contain static messages only, and shall not have movement nor flashing on any part of the sign structure, design, or pictorial segment of the sign.
- c. Electronic signs shall not have varying light intensity during display of any single message.
- d. Sign displays must be equipped with an automatic dimming technology such that the sign(s) automatically sense dusk and darkness and adjust the brightness level accordingly.
- e. The sign owner must provide Dawson County the 24-hour number of an employee or agent capable of adjusting the brightness of the sign(s) or, if the over-bright condition cannot be fixed, turning off the sign(s) until repairs can be made.

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- f. Maximum brightness levels for changeable, LED and EMC signs shall not exceed (5,000) nits when measured from the sign face at its maximum brightness, during daylight hours.
  - g. Maximum brightness levels for changeable, LED and EMC signs shall not exceed (500) nits when measured from the sign face at its maximum brightness, between sunset and sunrise, those times are determined by the National Weather Service.
  - h. Staff of Dawson County may request a certification of brightness under measurement conditions by an independent contractor if a concern arises as to the brightness. The owner shall have ten (10) days to provide the certification to Dawson County.
  - i. No more than 60% of the freestanding sign area can be digital display.
  - j. The message or copy of the sign cannot move or change more frequently than once every 8 seconds – it shall not wipe, scroll, etc.
  - k. Illumination spillover to neighboring properties cannot exceed one foot candle as measured at the property line.
  - l. Electronic signs shall not be allowed in residential zones.

**Secs. 129-60—129-89. Reserved.**

## ***ARTICLE IV. NON-CONFORMING SIGNS***

### **Sec. 129-90. Purpose.**

The purpose of article IV is to identify non-conforming signs and establish regulations pertaining to non-conforming signs.

### **Sec. 129-91. Definition and statement of intent.**

Any sign legally existing prior to the adoption of the sign ordinance of October 27, 1997 and as amended from time to time, which does not conform to the requirements of this chapter, shall be deemed to be a non-conforming sign.

### **Sec. 129-92. Existing non-conforming signage.**

Subject to the following conditions, non-conforming permanent signs may remain in operation and maintenance after the effective date of this chapter. Such signs shall not be:

- (a) Changed to or replaced with another non-conforming sign.
- (b) Enlarged, extended, reconstructed, moved or structurally altered except to bring the sign into conformity with all provisions of the ordinance.

Nothing contained herein shall prevent repairing or restoring to a safe condition any part of a sign or sign structure or normal maintenance operations, unless the damage or destruction to the sign is 50 percent or more of the area of the sign, or if the sign no longer serves a function as a sign because of damage or destruction.

### **Sec. 129-93. Removal.**

All signs erected after the effective date of this chapter that are non-conforming under this chapter or any sign which has been modified as contemplated by section 129-92 (a) or (b) shall be removed within 90 days of notice by the County Manager or designee in accordance with enforcement provisions of this chapter.

### **Secs. 129-94—129-114. Reserved.**

## **ARTICLE V. ILLEGAL AND PROHIBITED SIGNAGE**

### **Sec. 129-115. Purpose.**

The purpose of article V is to define those signs that are of a type specifically prohibited in the unincorporated area of Dawson County.

### **Sec. 129-116. Illegal sign.**

An illegal sign shall mean:

- (a) Any sign established prior to or subsequent to the adoption of this chapter, without proper authorization or permit; or
- (b) Any sign existing in the public right-of-way .

### **Sec. 129-117. Prohibited signs.**

The following signs are not permitted in any land use district:

- (a) Signs imitating traffic or emergency signals. No signs shall be permitted which imitates an official traffic sign or signal or contains words or symbols displayed in a manner which might mislead or confuse drivers of vehicles, or which displays intermittent lights resembling the color, sign, shapes or order of light customarily used in traffic signs or in emergency vehicles or on law enforcement vehicles, except as part of a permitted or public traffic control sign.
- (b) Signs employing confusing, distracting, or intense illumination when visible from the public right-of-way. No sign shall be permitted which utilizes spot lights, flood lights, flashing or blinking lights, or any type of pulsating or moving light which may impair the vision, cause glare, or otherwise interfere with a driver's operation of a motor vehicle or aircraft.
- (c) Signs employing confusing or distracting motion either by changing physical position or light intensity. No sign shall be permitted which employs motion in such a manner as to obstruct or interfere with a driver's view of approaching, merging, or intersecting traffic, or a traffic signal, device of sign, or which would otherwise interfere with a driver's operation of a motor vehicle.
- (d) Sign lighting. No sign shall be illuminated if such illumination is not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way, which beams or rays of light are of such intensity or brilliance as to cause glare or impair the vision of the driver of any motor vehicle or which otherwise may interfere with the operation of a motor vehicle.
- (e) Signs that project into or over, or are constructed within the public right-of-way.
- (f) Signs that are tacked, painted, posted, marked, or otherwise affixed on trees, utility poles or other similar structures or on rocks or other natural features.
- (g) Signs that prevent free ingress or egress from any door, window, or fire escape. No sign of any kind shall be attached to any fire escape.

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- (h) Signs placed on or painted on a motor vehicle or trailer and parked within sight of a public right-of-way and in such a manner that the sign not would not otherwise be allowed by this chapter.
  - (i) Signs that require the removal of any trees from the public right-of-way, excluding official signs and notices.
  - (j) Any air or gas filled balloons or other similar devices and permanent signs made of paper, cloth or other nondurable materials, except as specifically permitted in this chapter.
  - (k) Roof signs.
  - (l) Portable signs.
  - (m) Abandoned signs.
  - (n) Signs on courtesy benches, waste containers or other forms of street furniture.
  - (o) Searchlights.

**Secs. 129-118—129-148. Reserved.**

## ***ARTICLE VI. SIGNS THAT DO NOT REQUIRE A PERMIT***

### **Sec. 129-149. Purpose.**

The purpose of article VI is to identify those signs for which a permit is not necessary.

### **Sec. 129-150. Sign types included.**

A permit is not required for the following types of signs, and such signs shall not be considered in determining the allowable number or size of signs on a parcel or at a specific location; provided, however, that such signs must comply with all other applicable sections of this article. The erection of any sign not listed in this section shall require a permit.

- (a) Official signs and notices.
- (b) Standard signs. All signs shall have a contact name and phone number legibly displayed on the back of such sign. No sign shall be posted within the public right-of-way or a private easement.
- (c) Name plates not exceeding two square feet in area.
- (d) Flags shall be limited to one per parcel and shall not exceed 40 square feet in area.
- (e) Integral architectural features of buildings.

- (f) Indoor signs, not including permanent window signs.
- (g) Signs that appear on vending machines as original factory design.
- (h) Temporary signs located on the inside of windows that do not cover more than 25 percent of the total window area.
- (i) Air or gas filled balloons, inflatable signs, banners, feather signs, and streamers may be displayed for no more than seven (7) consecutive days and shall not be displayed more than six times per calendar year on the same property. Such signs or devices shall not be illuminated, may not exceed 35 feet in height from ground, nor interfere with the safe and free flow of traffic.
- (j) Signs carried by a person.
- (k) Temporary Signs as permitted in article VII
- (l) Temporary Banner signs made of non-rigid material within Mixed Use Village districts when attached to pedestrian lighting fixtures for a period up to 60 days.
- (m) Signs authorized in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), as amended.

**Secs. 129-151—129-168. Reserved.**

**Sec. 129-169. Purpose.**

The purpose of Article VII is to provide for the regulation and enforcement of appropriate temporary signage.

**Sec. 129-170 General.**

Temporary sign shall mean any sign not permanently anchored to the ground or a building, meeting the performance standards of section 129-171.

- (a) Types of temporary signs permitted: freestanding signs, and window signs.
- (b) A temporary sign shall not be permitted in the public right-of-way.
- (c) Temporary signs shall not be illuminated.
- (d) A temporary sign shall not have flashing lights or copy, moveable parts or colored lights that may resemble those of traffic signals and/or emergency vehicles, or lights.

**Sec. 129-171. Performance Standards.**

Temporary Signs may be constructed of cloth, canvas, fabric, paper, plywood, or other light material which are not intended or designed for permanent display. Temporary Signs must comply with the following standards:

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1. For parcels or lots that front on a four (4) or more lane roadway, a single sign less than or equal to thirty-two (32) square feet of sign copy area and greater than three (3) square feet of sign copy area, may be displayed on said property or parcel. The following criteria shall apply:

- a. Each sign shall be a maximum of eight (8) feet in height.
- b. Electric or illuminated signs are prohibited.
- c. Each sign shall not obstruct the visibility of a permanent sign.
- d. Each sign shall be located a minimum of twenty (20) feet from the right of way and a minimum of ten (10) feet from side property lines.
- e. Each sign shall be kept in a good and safe condition and not permitted to deteriorate as evidenced by, but not limited to tearing, rot, corrosion, peeling paint, etc.

2. For parcels or lots without frontage on a four (4) or more lane roadway, for every 330 linear feet of road frontage a parcel has, a single sign less than or equal to sixteen (16) square feet of sign copy area and greater than three (3) square feet of sign copy area, may be displayed on said property or parcel. The following criteria shall apply:

- a. Each sign shall be a maximum of six (6) feet in height.
- b. Electric or illuminated signs are prohibited.
- c. Each sign shall not obstruct the visibility of a permanent sign.
- d. Each sign shall be located a minimum of twenty (20) feet from the edge of pavement and a minimum of ten (10) feet from side property lines.
- e. Each sign shall be kept in a good and safe condition and not permitted to deteriorate as evidenced by, but not limited to, tearing, rot, corrosion, peeling paint, etc.

3. For any sign less than or equal to three (3) square feet of sign copy area in size the following criteria shall apply:

- a. Each sign shall be a maximum of six (6) feet in height.
- b. Electric or illuminated signs are prohibited.
- c. Each sign cannot obstruct the visibility of a permanent sign.
- d. Each sign shall be located a minimum of twenty (20) feet from the edge of pavement and a minimum of ten (10) feet from side property lines.
- e. Each sign shall be kept in a good and safe condition and not permitted to deteriorate as evidenced by, but not limited to, tearing, rot, corrosion, peeling paint, etc.

4. Window Signs

- a. Maximum of 25% of window coverage
  - b. Window signs shall be limited to the ground floor only
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Signs placed on a lot in contravention of this section shall be subject to all enforcement action allowed under article XIII of this ordinance. However, if the only basis for enforcement action is the number of Temporary Signs on a lot, the Marshal's office shall notify the pertinent lot/sign owner and provide the lot/sign owner an opportunity to remove the number of Temporary Signs such as will result in compliance.

**Secs. 129-173—129-197. Reserved.**

### ***ARTICLE VIII. PERMANENT SIGNS IN RESIDENTIAL ZONING DISTRICTS***

**Sec. 129-198. Purpose.**

The purpose of article VIII is to provide definition and regulation for permanent signage within residential districts in unincorporated areas of Dawson County located adjacent to arterial and collector roads in order to promote traffic safety and to preserve the aesthetics of residential districts along arterial and collector roads.

**Sec. 129-199. Entrance signage.**

By permit only if a tract or parcel of land has been developed to create a residential subdivision and is adjacent to a collector road, as opposed to a major arterial road.

- (a) One freestanding monument sign is allowed at each entrance from the primary roadway. Sign face shall not exceed 36 square feet with a maximum of eight feet in height overall. The sign shall be set back ten feet from any road right-of-way. Illumination will be allowed by indirect lighting only. Signage must be maintained by the property owner's association or sign owner; or
- (b) Two freestanding monument signs, one on either side of the entrance from the primary roadway. Sign face not to exceed 20 square feet each with a maximum six feet in height. The sign shall be set back ten feet from any road right-of-way. Illumination will be allowed by indirect lighting only. Signage must be maintained by the homeowner's association or sign owner.
- (c) There shall be a minimum 100-foot separation between signs at each entrance.
- (d) If signage is not maintained, then the provisions of article III section 129-54 "sign maintenance" shall be applied.
- (e) No signs will be permitted on islands within a public right of way.

**Sec. 129-200. All other permanent signs in residential zoning districts.**

One freestanding monument sign shall be allowed on an individual residential lot except as provided in article VI section 611 of the Dawson County Land Use Resolution. The sign face shall not exceed six square feet with a maximum height of six feet overall. Signs shall be constructed on a base of brick or stone. The sign shall meet the minimum building setbacks for the lot on which it is placed as prescribed in the Dawson County Land Use Resolution. Illumination of the sign shall not be allowed.

**Secs. 129-201—129-221. Reserved.**

***ARTICLE IX. PERMANENT SIGNS IN COMMERCIAL ZONING DISTRICTS***

**Sec. 129-222. Purpose.**

The purpose of article IX is to identify signs allowed within commercial districts in unincorporated areas of Dawson County in order to promote traffic safety and to preserve the aesthetics of such area.

**Sec. 129-223. Freestanding Permanent signs.**

Those signs wholly supported by their own structure and completely separate from a commercial building.

(a) Planned Center

- (1) One freestanding sign per street frontage not to exceed 100 square feet. One freestanding sign per street frontage will be allowed assuming each frontage is equal to or greater than 200 feet in length. The sign shall be constructed of material such as brick, stone, stucco or similar material consistent with the architecture and exterior treatment of the building(s).
- (2) The sign shall have a maximum height of 20 feet. However, up to an additional ten feet in height may be added resulting in a total maximum height of 30 feet if the base of the sign is below the grade of the adjoining road as calculated at a one-foot rise of sign height per one foot drop from road grade elevation.
- (3) Any and all structural components shall be fabricated or covered so that such components may not be detected visually.
- (4) The width of a monument sign shall not exceed the width of the supporting structure.
- (5) The copy area of freestanding signs shall not exceed 75 percent of the sign area. The copy area shall be measured by the smallest geometric form that encompasses it.

- (6) Changeable copy signage may be used, but the sign counts toward the total sign area allowed.
  - (7) The sign shall include the street address for the project. The maximum copy area does not include the street address.
  - (8) All signs shall be located in such a way that they maintain horizontal and vertical clearance from all overhead utilities in accordance with the International Electrical Code specification. In no case shall any sign be installed within five (5) feet horizontally or vertically from an overhead utility line or utility guy wire.
  - (9) To ensure visibility, the copy of the sign shall be no less than five feet above grade.
- (c) Outparcels and individual lots
- (1) Signs shall be limited to ground-mounted type signs. Base and sign structure shall be constructed of materials such as brick, stone, or similar materials consistent with the architecture and exterior treatment of the building.
  - (2) Surface area of the sign face shall be a maximum of 48 square feet per side.
  - (3) The sign shall have a maximum height of ten feet. However, up to an additional five feet in height may be added resulting in a total maximum height of 15 feet if the base of the sign is below the grade of the adjoining road as calculated at a one-foot rise of sign height per one foot drop from road grade elevation.
  - (4) Structural poles used in the construction of said sign shall be wrapped with either brick or stone which shall be at least four feet in width on the sides of the sign intended for viewing. The pole wrap shall not be used as part of the sign face for copy.
  - (5) Changeable copy signage may be used but will count towards the sign area allowed.
  - (6) For individual lots and outparcels only one freestanding sign shall be allowed.
  - (7) All signs shall be located in such a way that they maintain horizontal and vertical clearance from all overhead utilities in accordance with the International Electrical Code specification. In no case shall any sign be installed within five (5) feet horizontally or vertically from an overhead utility line or utility guy wire.
  - (8) To ensure visibility, the copy of the sign shall be no less than four feet above grade.

**Sec. 129-224. Wall signs and canopy-signs.**

Those signs attached to the building or structure for stability or decoration.

- (a) Wall signage for single tenant buildings.

- (1) Three wall signs will be permitted per building.
  - (2) Only one wall sign shall be permitted per wall.
  - (3) Signs shall not exceed one square feet per linear feet of building wall facade each and shall not exceed 180 square feet each.
- (b) Wall signage for multi-tenant buildings.
- (1) Two wall signs shall be permitted per street frontage or entrance
  - (2) Only one wall sign shall be permitted per tenant wall.
  - (3) Wall signs shall not exceed one square feet per linear feet of tenant wall facade each and shall not exceed 180 square feet each.
  - (4) Wall signs shall not exceed three feet maximum height of copy area
- (c) Canopy signs
- (1) One canopy sign per entrance not to exceed twelve (12) square feet shall be permitted.
- (d) No wall sign or canopy sign shall be located so that any part of the sign or supporting structure extends above the top of the wall or parapet.
- (e) Signs installed below a canopy, awning, overhang or porch shall be a minimum of nine feet above ground from the pedestrian way.

**Sec. 129-225.—Freestanding Canopy Signage**

- (1) One sign per road frontage not to exceed twenty (20) square feet shall be permitted on each freestanding canopy
- (2) Signage must be flush against the canopy fascia.
- (3) Banding of corporate colors shall be regarded as part of the sign and shall count toward the allowable twenty (20) square feet.

**Sec. 129-226. Reserved.**

**Secs. 129-227—129-245. Reserved.**

## ***ARTICLE X. VARIANCES***

### **Sec. 129-246. Purpose.**

Variances to the sign chapter are granted for specific waiver or release of a requirement of this chapter based on proof of hardship to the applicant.

### **Sec. 129-247. Administration.**

Variances to sign requirements shall be granted by the planning commission in the same manner and pursuant to the same criteria as variances from the Dawson County Land Use Regulations. Administrative variances may be granted by the county manager or designee if the following criterion exists:

- (a) Dimensional variances only (i.e., setback, size, or height).
- (b) Shall not be greater than ten percent of allowable limits.
- (c) Shall not subvert the intent of the ordinance.
- (d) Applicant shall show substantial hardship naturally occurring or otherwise.
- (e) Granting the variance shall not create a safety hazard or other condition inconsistent with the general purpose of this chapter; and
- (f) Granting the variance may include minor stipulations to ameliorate the impact of the variance (i.e., landscaping, material, lighting, etc.);

### **Secs. 129-248—129-272. Reserved.**

## ***ARTICLE XI. PERMITS***

### **Sec. 129-273. Purpose.**

The purpose of article XI is to establish methods for allowing signs within the unincorporated portions of Dawson County.

### **Sec. 129-274. Permits required.**

It shall be unlawful for any person to erect or relocate within the county any sign, as defined in this chapter, without first obtaining a sign permit from the county manager or designee and making payments scheduled if applicable. Signs shall also be subject to the provisions of the electrical code and the permit fees required therein. A permit shall be required for each incidence of temporary sign usage.

**Sec. 129-275. Application for sign permit.**

Applications for sign permits shall be made upon application forms provided by the county manager or designee and shall contain or have attached thereto the following information:

- (a) Name, address, business telephone number of the applicant, sign owner and land owner;
- (b) Address of building, structure, or lot to which or upon the sign is to be attached or erected;
- (c) The sign and the distance of the sign from adjacent buildings, structures, property lines, other signs and any other measurements as may be required by the county manager or designee.
- (d) Drawings of the plans, specifications, and method of construction and attachment to the building or ground for the sign, as well as a scale drawing of the site showing drives, structures, and any other limiting site features as well as drawings showing the relation of the road grade of the adjoining road to which the sign face is perpendicular to the base of the sign;
- (e) Name of person, firm, corporation or association erecting the structure; and
- (f) A plat, with street right of way lines, showing the sign location upon the premises.
- (g) The type of sign
- (h) The value of the sign
- (i) The square foot area per sign and the aggregate square foot area if there is more than one sign face.
- (j) Written consent of the owner, or his agent, granting permission of which the subject sign will be located.

**Sec. 129-276. Permit issuance.**

It shall be the duty of the county manager or designee, upon the filing of a complete application for a sign permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign; and if it shall appear that the proposed sign is in compliance with all the requirements of this chapter and all other laws and resolutions of the county, then the permit shall be issued. If no decision is made by the county manager or designee within thirty (30) days of the application being filed, the application shall be deemed denied. If the work authorized under a sign permit has not been started within six (6) months after the date of issuance, then the permit shall become null and void and a new permit shall be required. All signs shall be subject to on-site inspections by the county manager or designee or its authorized representative before a permit is issued.

**Sec. 129-277. Permit fees.**

Every applicant before being granted a sign permit shall pay the county a permit fee in accord with the fee schedule approved by the board of commissioners.

**Sec. 129-278 Relationship to Building and Electrical Codes.** These sign regulations are intended to complement the requirements of the building and electrical codes adopted by Dawson County. Wherever there is an inconsistency between these regulations and the building or electrical code, the more stringent requirement shall apply

**Secs. 129-279—129-302. Reserved.**

***ARTICLE XII. APPEALS***

**Sec. 129-303. Purpose.**

Any decision or action of County personnel under this chapter may be appealed to the Board of Commissioners of Dawson County; provided, however, that any such action or decision shall remain in full force and effect pending such appeal.

**Sec. 129-304. Appeals process.**

If an applicant or permittee desires to appeal any decision or action of the County Manager or designee or its authorized representative or the planning commission, then the applicant or petitioner shall notify the County Manager or designee of Dawson County in writing within ten days of the date of the action or decision. Upon receipt of the notice, the Board of Commissioners shall set an appeal hearing date regarding the appeal within 30 days of such notice and shall notify the applicant or permittee in writing by first class mail and shall render a decision within 45 days of such notice.

**Secs. 129-305—129-326. Reserved.**

***ARTICLE XIII. ENFORCEMENT AND ADMINISTRATION***

**Sec. 129-327. Purpose.**

The purpose of article XIII is to provide clear guidelines for enforcement and administration of the sign chapter.

**Sec. 129-328. Administrative powers.**

The Board of Commissioners of Dawson County, Georgia shall administer and enforce the provisions of this chapter, and the County Manager or designee is hereby appointed to exercise the powers prescribed by this chapter. These powers shall include, but shall not be limited to, accepting and processing applications, conducting inspections, issuing permits and instituting

enforcement actions through one or more employees of the county; subject to the right of appeal to the Board of Commissioners as otherwise provided by this chapter.

**Sec. 129-329. Enforcement.**

The erection or maintenance by any person, firm, or corporation of any sign for which a permit is required by this chapter without a valid permit or renewal thereof issued by the county is declared to be a public nuisance. In addition to the remedies provided for in this chapter or that may otherwise exist under the laws of the State of Georgia, the county is authorized to pursue all equitable remedies and criminal and civil sanctions available.

- (a) Notification of violations. Such notification shall be made in writing from the county manager or designee or an authorized representative of the board of commissioners to the applicant's or individual's last known address or at the location of the sign if notice can be given in person or to the owner's representative and shall provide the violator ten days from the date of the letter to bring the sign into compliance. The notice shall be deemed sufficient upon mailing to the last known address or upon hand delivery to the owner or owner's representative.
- (b) Signs placed in the public right-of-way or any sign posing an immediate danger to the public may be removed by the Dawson County Marshal's Office or the Dawson County Sheriff's Office without notice. Signs placed in the right-of-way are hereby considered litter and shall be remanded to the county transfer station. Signs will be returned to the sign owner, if said owner collects the sign in a timely manner.
- (c) Revocation of permits and licenses. Any person failing to comply with any provision of this chapter shall be subject to revocation of the business license, work permit or other authorization for the conduct of business and associated work activities within the unincorporated areas of Dawson County.
- (d) Stop work orders. Any person failing to comply with any provision of this chapter shall be subject to a stop work order. Upon receipt of the stop work order, work on any project that is being performed in violation of this chapter shall immediately stop. Such notice shall be in writing and shall be given to the owner of the property, owner of the sign, the owner's authorized agent or the person or persons in charge of the activity on the property and shall state the conditions under which work may resume. If an emergency exists, then no written notice shall be required.
- (e) Violation of permit. If through inspection it is determined that a person engaged in any activity covered by this chapter has failed to comply with the ordinance or the conditions of the permit issued, then a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the activity fails to comply within the time specified, then such person shall be in violation of this chapter and in addition to other penalties or enforcement, any applicable performance or surety bond shall be subject to forfeiture.



- (f) Permit suspension or revocation. The permit issued hereunder may be suspended or revoked by the county upon a finding that the holder is in violation of the permit or any portion of this chapter.
- (g) Administrative fines. Any person violating any provision of this chapter, permitting conditions, or stop work order shall be liable for a civil penalty of not less than \$100.00 per day or not to exceed \$1,000.00 per day. Each day the violation continues shall constitute a separate violation.
- (h) Criminal citation. Any person who shall do anything prohibited by this chapter or who shall fail to do anything required by this chapter shall be guilty of a misdemeanor, amenable to the process of the magistrate court of Dawson County, and upon conviction, shall be assessed with any penalty, including fine, confinement, or both, allowed by law for the violation of the county resolutions or ordinance. Each day and every day that such violation exists shall be deemed to constitute a separate offense.
- (i) Board of commissioner's action. In addition to any other remedies, any violation of this chapter may be addressed by the board of commissioners of Dawson County by instituting injunction, mandamus, or other appropriate action or proceeding to stop the violation. Such proceeding may be instituted without the necessity of showing the lack of an adequate remedy at law.
- (j) Any one or more of the foregoing enforcement provisions may be utilized separately or in combination to achieve compliance with this chapter.

**Sec. 129-330. Abandonment.**

An abandoned sign must be removed within 30 days from the date official notice is given by the county manager or designee, the county marshal, or the board of commissioners to the owner by certified mail to the last known address. If an abandoned sign is not removed within 30 days of the receipt of the official notice or if said notice is returned undeliverable, then the county may remove such sign.

**Sec. 129-331. Reserved**

**Sec. 129-332. Disclaimer.**

Nothing in this chapter shall be construed to abrogate or impair the powers of the courts or of any department of the county to enforce any provisions of its ordinances or regulations nor to prevent or punish violations thereof; and the powers conferred by this chapter shall be in addition to and supplemental to the powers conferred by any other law.

**Sec. 129-334. Effective date.**

This chapter shall be effective on the day of its adoption by the board of commissioners of Dawson County.