ARTICLE VIII
SIGN REGULATIONS

(Adopted 5-2-2011)
(Amended 10-3-2011)

Section 801. Purpose and Intent.

The following regulations are designed to promote the public health, safety, order, aesthetics and general welfare of the community by: controlling the number, placement, size and height of signs; preventing excessive and undue distractions to motorists and pedestrians; preventing traffic hazards; and by encouraging a more attractive urban environment.

Section 802. Signs Shall Meet Applicable Codes.

Signs and other advertising structures shall be constructed and maintained in strict conformity with building and electrical codes and all other applicable regulations. Amended 12-7-2015 Signs and other advertising structures shall be professionally made and installed by a licensed sign company.

Section 803. Signs Are Permitted Accessory Uses.

Signs and other advertising structures are permitted as accessory uses subject to all applicable limitations as specified in these regulations. For examples of free standing and ground supported signs, refer to Appendix C of Zoning Ordinance.

Section 804. Permit Required.

Unless otherwise excepted by the provisions of this Article, it shall be unlawful for any person to erect, construct, enlarge, move, replace or convert any sign without first obtaining a permit from the Zoning Administrator; provided, however that nothing in this section shall be construed to require a permit for the repainting, cleaning or other normal maintenance or repair of a sign or sign structure.

Section 805. Permit Application.

Applications for permits to erect, construct, enlarge, move or convert signs shall be made to the City Zoning Administrator. The application for permit shall include information such as, but not limited to, ownership information, location, construction cost, site plans, and building elevations, structural details or other

information necessary to ensure compliance with the provisions of these regulations and all applicable codes.

Section 806. Permit Fees.

No permit shall be issued until the appropriate application has been filed and fees have been paid as established by the Governing Body from time to time.

Section 807. Signs And Sign Devices Prohibited.

1. Abandoned signs.
2. Animated signs. Except one (1) OPEN sign per street frontage may be animated during hours of operation limited to three (3) square feet or less. Advertising logos, words or symbols for products attached to the open sign are prohibited.
3. Portable signs.
4. Signs erected on or over public property including public rights-of-ways, other than signs erected by public authority for a public purpose.
5. Amended 12-7-2015 Internally illuminated signs within ~~all zoning districts~~ the following zoning districts: All R (Residential) zonings, INS (Institutional), PRO (Professional), DB (Downtown Business), and CB (Community Business) with the exception of OPEN signs allowed by Section 807.2. Signs may be spot-lighted or up-lighted so long as the light does not create a hazard or spill over onto adjacent properties.
6. Amended 12-7-2015 Off-site signs, ~~including directional signs for the sale of real estate, yard sales or any other purpose~~ in all districts with Residential and Institutional Zoning. Real Estate and yard sale signs shall not apply.
7. Signs installed on a roof or that extend above the roof line of the building.
8. Signs, which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.
9. Signs attached to parking lot light poles and other poles structures other than those specifically permitted in this ordinance.
10. Signs attached to or painted onto a vehicle parked adjacent to and visible from a street for the sole purpose of advertising onto said street

and that are otherwise not used for daily operational use on the public streets.

11. All advertising and other signage that is attached to or painted on the exterior windows or walls of a building, the total of which exceeds twenty-five (25) percent of the street facing window or wall area. Signs facing a street frontage window and located within five feet of the window will be included in the total allowable signage.
12. Illuminated signs, with the exception of signs described in Section 807.5., facing a street frontage window and located within ten feet of the window.
13. Amended 12-7-2015 Inflatable Air Shakers or similar devices.

Section 808. Public Signs And Sign Devices Exempted.

Any sign designed, erected or maintained for a public purpose by a public agency or authority is exempt from the provisions of this Article. Public signs include, but are not limited to, the following: signs denoting routes to any city, town, village, historic place, shrine or hospital; signs directing or regulating traffic; notices of any railroad bridge, airport or other transportation activity necessary for the direction or safety of the public; legal notices or other official instruments denoting time and place of civic meetings; signs denoting street names and street number, address or unit designations, flags of the United States, state, county, municipality or other public authority; flags, banners and other devices for celebrations, conventions, commemorations, events, festivals and other community activities authorized by the Governing Body, and public memorial signs and tablets.

Section 809. Amended 12-7-2015 Signs Permitted In Districts Zoned Residential - R-1, R-1A, R-1B, & R-2. Note: Clarkesville Preservation District Overlay Article XXII Shall Apply.

1. One (1) identification sign per premise at the entrance drive of each individual residence, estate, farm, conservation area, ranch and plantation which does not exceed four (4) square feet of area.
2. One (1) project identification sign at each entrance to a residential subdivision or complex, or other permitted use, not exceeding thirty-two (32) square feet of area, provided such signs are not internally illuminated.

3. Signs for licensed sales, rental and leasing offices, manager's residences that do not exceed four (4) square feet of area.
4. Political signs, not exceeding four (4) square feet in area. See Section 819.1.
5. Real estate signs that pertain to the rent, lease or sale of properties of less than one acre may not exceed four (4) square feet in area. One (1) sign per premise per each street frontage is permitted. When the property exceeds one acre, one real estate sign per street frontage not exceeding thirty-two (32) square feet in area is permitted.

Section 810. Amended 12-7-2015 Signs Permitted In The INS Zoning District. Note: Clarkesville Preservation District Overlay Article XXII Shall Apply.

1. Any sign permitted in Section 809 specific to the use described.
2. Identification sign and/or bulletin board for churches, places of worship, fraternal organizations or other similar permitted institutional uses, provided only one (1) sign not exceeding thirty-two (32) square feet of area with a maximum height of ten (10) feet is permitted to be located on site per premise.
3. Directional signs pertaining only to property on which located, not to exceed four (4) square feet.

Section 811. Amended 12-7-2015 Signs Permitted In CB and PRO Zoning Districts. Note: Clarkesville Preservation District Overlay Article XXII Shall Apply.

1. Any sign permitted in Section 809 specific to the use described.
2. One (1) free-standing identification sign per premises, not exceeding twenty-four (24) square feet in area and eight (8) feet in height including its supporting structure.
3. One (1) primary sign installed on a wall, window, or hanging sign with a total sign area not exceeding the greater of either ten (10) percent of the area of the building face or twenty-four (24) square feet.
4. One (1) secondary wall, window, or hanging sign, or sign installed on an awning or canopy per street frontage not exceeding nine (9) square feet in area on which the name and nature of the business or organization operated on the premises are shown.
5. Directional signs pertaining only to property on which located, not to exceed four (4) square feet.

6. Off-site signs by permitted use only. Permanent/Temporary off-site signs for businesses shall have written consent from the off-site property owner and shall be limited to one (1) sign per business and limited in size to a maximum nine (9) square feet. Business requesting off-site signage shall hold a valid City of Clarkesville business license. Variances shall not be considered.

Section 812. Amended 12-7-2015 Signs Permitted In HB and M-1 Zoning Districts. Note: Clarkesville Preservation District Overlay Article XXII Shall Apply.

1. Any sign permitted in Section 809 specific to the use described.
2. One (1) free-standing identification sign per premises, not exceeding thirty-two (32) square feet in area and ten (10) feet in height including its supporting structure.
3. One (1) primary sign installed on a wall, window, or hanging sign with a total sign area not exceeding the larger of either ten (10) percent of the area of the building face or thirty-two (32) square feet.
4. One (1) secondary wall, window, or hanging sign, or sign installed on an awning or canopy per street frontage not exceeding nine (9) square feet in area on which the name and nature of the business or organization operated on the premises are shown.
5. Directional signs pertaining only to property on which located, not to exceed four (4) square feet.
6. Off-site signs by permitted use only. Permanent/Temporary off-site signs for businesses shall have written consent from the off-site property owner and shall be limited to one (1) sign per business and limited in size to a maximum nine (9) square feet. Business requesting off-site signage shall hold a valid City of Clarkesville business license. Variances shall not be considered.
7. Internally illuminated signs.

Section 813. Amended 12-7-2015 Signs Permitted In DB Zoning District. Note: Clarkesville Preservation District Overlay Article XXII Shall Apply.

1. Any sign permitted in Section 809 specific to the use described.
2. One (1) primary sign installed on a wall, window, awning or hanging structure of a licensed business location with a total sign area not exceeding the larger of either ten (10) percent of the area of the building face or twenty-four (24) square feet.

3. Secondary signs, not to exceed two (2) signs installed on the wall, window, awning or hanging that are dissimilar in type to the primary sign not to exceed nine (9) square feet in area for each sign.
4. Sandwich board signs with the following conditions of use:
    a) Sandwich board signs shall not exceed six square feet (6 sq. ft.) in area per side.
    b) Only one (1) sandwich board is permitted per building face and shall be placed within the area immediately in front of the building.
    c) Sandwich board signs shall be also placed at or near the building entrance; provided, however such signs shall not obstruct the means of egress from any building and shall be only allowed wherein six feet (6') of clear passage along the sidewalk is maintained.
    d) Sandwich board signs shall be removed from the sidewalk at the close of each business day and shall not be permitted to remain on sidewalks after 9 p.m. under any circumstances.
    e) The permit for a sandwich board sign may be revoked for reasons of public health or safety. Examples of grounds for revocation shall include but are not limited to: a hazard to pedestrian travel, the practice of repeatedly left overnight, allowed to be cast from the sidewalk during inclement weather or improper use that results in the creation of a nuisance to pedestrians and the public.
5. Off-site signs by permitted use only. Permanent/Temporary off-site signs for businesses shall have written consent from the off-site property owner and shall be limited to one (1) sign per business and limited in size to a maximum six (6) square feet. Business requesting off-site signage shall hold a valid City of Clarkesville business license. Variances shall not be considered.

Section 814. Maximum Sign Height and Width.

No permitted sign or mounting support for a sign, regardless of type, shall exceed the height of ten (10) feet or a width of eight (8) feet in any zoning district.

Section 815. General Requirements for Signs.

Signs, regardless of the zoning district in which they are located, shall conform to the following requirements:

1. Signs, together with any supporting members, shall be kept in good repair and maintained so as to present a neat, clean appearance and be in a safe state of preservation. Painted areas and sign surfaces shall be kept in good condition, and illumination if permitted shall be maintained in safe and good working order.
2. Signs shall be set back a minimum of two (2) feet from any public street right-of-way.
3. No sign shall be erected where it will interfere with vision clearance along any street or obstruct the vision of either drivers or pedestrians.
4. Monuments or other structures on which freestanding signs are mounted may not have a total surface area greater than eighty (80) square feet per side.
5. Any illuminated sign shall be placed so that the rays and illumination there from shall not be cast upon neighboring properties.
6. The construction and installation of all permitted signs shall be inspected by the Building Inspector.
7. Other attached signs shall be inspected for safety and compliance with this Ordinance.
8. When a building is constructed, remodeled, or expanded, all signs shall be approved by the appropriate official before an occupancy permit is issued. Drawings containing dimensions of signs and/or descriptions of sign dimensions, construction materials, and methods of erection or design and stress diagrams may be approved by the Building Inspector or other appropriate official, when, in his best judgment, erection of the sign will not constitute a safety hazard and upon determination that the sign meets all the requirements of this Ordinance and the Building Code of the City of Clarkesville.

Section 816. Variances Permitted.

Recognizing that the strict application of the provisions of this Article may, in limited instances involving unique or unusual physical conditions or other such unanticipated situation, pose an unnecessary hardship to the owner or user of a sign, the Planning Commission Body is authorized to permit variances from the provisions of this Article, including but not limited to the following:

1. An increase in the height of a sign.
2. Reduction of the required two (2) foot setback for a sign.
3. An increase in the maximum area of a sign.
4. Temporary signs and sign devices not complying with Section 819.
5. Signs of a historic nature which are re-created and depict a certain era such as signs painted on walls, old neon signs and others.

Any application for a variance from the terms of this Article shall be filed and heard in accordance with variance procedures and shall require the filing of an elevation drawing of the sign or signs proposed to be erected, constructed, modified or continued, along with written justification that unusual conditions warrant such consideration. An appeal of the decision of the Planning Commission may be made to the Governing Body.

Section 817. Nonconforming signs.

1. Signs which on the effective date of the ordinance from which this section derives were legally erected and maintained under previous ordinances and regulations, or which become nonconforming with respect to the requirements of this chapter, may be continued so long as the size of the sign is not increased beyond that existing as of the effective date of the ordinance from which this section derives or any change thereto is made in conformance with this chapter. The display faces of freestanding, monument or other nonconforming signs may be replaced or repainted with a new display face so long as the total area of the sign is not increased.
2. A nonconforming sign shall not be replaced by another sign except one which complies with the requirements of this chapter.
3. Minor repair and maintenance of nonconforming signs such as repainting, electrical repairs and lighting shall be permitted. However, no structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the requirements of this chapter.

4. A nonconforming sign may not be rebuilt, altered or repaired after damage exceeding fifty (50) percent of its replacement value at the time of destruction.
5. Nonconforming signs may not be continued if the use of the property changes as a result of the owner's actions.
6. Illegally installed, nonconforming signs for which no permits were issued, and all nonconforming temporary signs shall be removed or made to conform to the requirements of this chapter within 90 days of the effective date of the ordinance from which this section derives.

Section 818. Procedure for Removal of Abandoned, Dangerous or Unlawful Signs.

Should any sign be unlawful or become abandoned, insecure or in danger of falling or otherwise unsafe in the opinion of the Building Inspector, the owner thereof, or the person or firm maintaining the sign, shall upon written notice from the Building Inspector forthwith in the case of immediate danger and in any case within ten (10) days remove, or if lawful, secure the sign in a manner to be approved by the Building Inspector, in conformity with the Building Code of the City of Clarkesville. If such order is not complied with in ten (10) days, the sign shall be removed under instruction of the appropriate official at the expense of the owner or lessee thereof. In case any sign shall be installed, erected or constructed in violation of any of the terms of this Ordinance, the Building Inspector shall notify by certified mail or written notice served personally, the owner or lessee thereof to alter such sign, secure the necessary permit, make required alterations, or remove the sign. If such order is not completed within twenty-four (24) hours from the time of notice being received, the sign shall be removed under instruction of the appropriate official at the expense of the owner of lessee thereof.

Section 819. Temporary Signs. (Amended 10-3-2011)

It shall be unlawful for any person to place on public or private property any temporary sign as defined by this ordinance without compliance with the following provisions:

1. A temporary sign permit shall be obtained prior to the installation of any temporary sign. One temporary sign less than four (4) square feet may be placed in all zoning areas without a permit. During political campaigns signs supporting a candidate and political party are permitted one (1) per candidate or party supported per lot. Real estate signs in areas zoned M1, HB, CB, PRO or INS for the sale or lease of

properties less than one acre, are permitted one (1) per road frontage not to exceed twenty-four (24) square feet unless in the Clarkesville Preservation District. Real estate signs in the Clarkesville Preservation District and those in zoning area DB are permitted up to sixteen (16) square feet one sign per road frontage. Real estate signs larger than four (4) square feet are required to have a permit. There will be no cost for this permit. Any sign erected in violation of this ordinance may be removed at the discretion of the Zoning Administrator.

2. Temporary signs shall not be placed on or in any automobile or on any object or structure that is not a part of the building to which the sign pertains.
3. Temporary signs shall not be placed on public property, to include the public right of way, without the express permission of the Governing Body; except real estate directional signs less than two (2) square feet in area, one (1) per property per intersection shall be permitted from 4pm Friday through 6pm Sunday.
4. Only one temporary sign per premise no larger than twenty four (24) square feet is permitted at one time. Temporary signs shall be limited to three (3) occurrences per Premise per calendar year. Temporary signs shall not remain in place for more than forty-Five (45) days.
5. There shall be no cash bond required provided the applicant has not been in previous violation of this ordinance. Should the applicant have been in previous violation of this ordinance, applicant shall post a $100.00 cash bond with the Clerk of the City and further complete all applicable application and registration procedures with the City. The $100.00 cash bond shall be returned to the applicant after all terms and provisions of this ordinance have been fully complied with. Should the applicant not fully comply with all terms and provisions of this ordinance, such $100.00 cash bond may be forfeited in addition to other penalties as may be provided for violations of this ordinance.

Section 820. Penalty for Violation of Sign Ordinance

Penalties for violating this ordinance are described in Section 2606 of The Code of the City of Clarkesville.