

CHATTOOGA COUNTY FREESTANDING  
SIGN REGULATIONS ORDINANCE

CHAPTER 1. GENERALLY

SECTION 1. PURPOSE OF ORDINANCE

This ordinance is enacted for the purpose of regulating the placement of signs and billboards within Chattooga County, Georgia.

SECTION 2. DEFINITIONS

A. The following words, terms and phrases, when used in this ordinance shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. *Area of sign:* The area within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure of similar character together with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such writing, representation, emblem or any figure of similar character from the background against which it is placed. The sign area of painted or affixed wall signs when composed of letters only is the sum of the areas of the smallest contiguous rectangles each capable of containing one such letter. For double-faced signs, only the largest display face shall be measured in computing the sign area.

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

3. *Monument sign:* Any ground sign which has a brick or stone base and frame within which advertising panels are contained at the base and sides.

4. *Nonconforming sign:* Any sign which lawfully existed on the effective date of this ordinance but which does not conform to the provisions of this ordinance. All nonconforming signs have five (5) years from date of this ordinance to be brought into conformity or face condemnation.

5. *Sign:* A lettered, numbered, symbolic, pictorial, or illuminated visual display, device, flag, banner, or communication designated or used for the purpose of identifying, announcing, directing, informing, or bringing to the attention of others the subject thereon, that is visible from the public right-of-way and which is permanently affixed and wholly independent of a building for support (i.e., **freestanding**).

6. *Sign face:* That part of a sign that is or can be used for advertising purposes.

7. *Billboard*: Any sign in excess of one hundred and fifty (150) square feet which lawfully existed on the effective date of this ordinance which sign is freestanding and erected on single post or poles.

### SECTION 3. APPLICABILITY

The provisions of this ordinance shall apply to all signs erected within the unincorporated area of Chattooga County, Georgia, which are wholly independent of a building for support and are visible from a public right-of-way and are in excess of eighty-five (85) square feet in total size and are in the same location for a period in excess of six months.

### SECTION 4. BUILDING PERMIT REQUIRED

It shall be unlawful for any person to post, display, substantially change, or erect a sign regulated by this ordinance in the County without first having obtained a building permit. The applicant for a building permit shall submit application materials as specified by the Building Inspector.

### SECTION 5. PERMIT APPLICATION

Applications for permits for signs shall be filed by the sign owner or his agent in the office of the Building Inspector upon forms furnished by said office. Appropriate fees to cover the cost of permit application shall be established by Chattooga County. The application shall describe and set forth the following:

- A. A description of the type and purpose of the sign as defined in this ordinance.
- B. A drawing of the sign which shows the height of the sign, the area of the face of the sign, and the structural supports of the sign.
- C. The street address of the property upon which subject sign is to be located and the proposed location of subject sign on subject property.
- D. A survey or tax plat of the property on which the sign will be located which shows where thereon the sign will be located and the distance from the property lines and the paved street right-of-way.
- E. The name(s) and address(es) of the owner(s) of the real property upon which the subject sign is to be located, and consent of the owner, or his agent, granting permission for the placement or maintenance of subject sign, which may include a copy of the lease or other document from the owner of the sign which authorized the erection thereof.
- F. The name, address, phone number and business registration number (if required) of the sign contractor.

The Building Inspector shall be authorized to issue permits for signs in accordance with the provisions of this ordinance. All permit applications pursuant to this ordinance shall be processed within ten (10) business days of the County's actual receipt of a complete permit application and a permit fee.

#### **SECTION 6. SIGNS SHALL BE MAINTAINED**

All signs regulated by this ordinance shall be maintained by the property owner in good condition so as to present a neat and orderly appearance or after thirty (30) days notice may be removed by the Building Inspector or other County authorities.

#### **SECTION 7. MAXIMUM HEIGHT OF SIGNS**

The maximum height of any sign regulated by this article shall be twenty (20) feet.

#### **SECTION 8. MAXIMUM SIZE OF SIGN**

The maximum size of any sign face shall not exceed one hundred fifty (150) square feet.

#### **SECTION 9. DIRECTION OF SIGNS**

Back to back or v-formation signs are allowed but side-to-side or top-and-bottom signs are prohibited.

#### **SECTION 10. MINIMUM SETBACK FROM RIGHT-OF-WAY**

No sign regulated by this ordinance shall be placed or erected closer than thirty (30) feet of a city, county, state or federal road right-of-way or closer than thirty-five (35) feet from the right-of-way line intersection point measured at any angle.

#### **SECTION 11. VARIANCES AUTHORIZED**

The Commissioner shall have authority to authorize upon application in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest, when due to special conditions a literal enforcement of the provisions of these sign regulations will, in an individual case, result in unusual hardship, so the spirit of the sign regulations shall be observed, public safety and welfare secured, and substantial justice done. Applications for variances shall be made to the Building Inspector on forms provided by that office and shall be accompanied by a fee for said application as may be established by resolution of the Commissioner from time to time and other application materials specified by the Building Inspector as may be needed to ensure compliance with this ordinance and evaluate the requested variance.



A. Criteria for approval of sign variances:

A variance may be granted upon application in an individual case of unusual hardship upon a finding by the Commissioner that all of the following conditions exist:

1. There exist extraordinary and exceptional conditions pertaining to the property in question resulting from its size, shape, or topography which are not applicable to other lands or structures in the area.
2. A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other similar properties.
3. Granting the variance requested will not confer upon the property of the applicant any significant privileges which are denied to other similar properties.
4. The requested variance will be in harmony with the purpose and intent of these regulations and will not be injurious to the neighborhood or to the general welfare.
5. The special circumstances are not the result of actions of the applicant.
6. The variance is not a request to permit a type of sign which otherwise is prohibited by this ordinance.
7. The mere existence of a nonconforming sign or advertising device shall not constitute a valid reason to grant a variance.
8. Variances granted shall be reviewed every two (2) years by the Building Inspector and renewed or removed pending his determination.

**SECTION 12. DISTANCE REQUIREMENTS**

A. All sign locations shall be no less than 2,500 feet apart, measuring from the two closest points, on the same side of the road from another sign on any roadway of unincorporated Chattooga County including state highways.

B. Signs shall not be erected at any location having principal frontage on any street within 1,000 feet of any designated parkway or scenic byway.

**SECTION 13. ROOF MOUNTED SIGNS**

There shall be no roof mounted signs.

**SECTION 14. BILLBOARD SIGNS**

No additional billboard signs may be erected in Chattooga County, Georgia. All billboards signs shall be maintained in a neat and orderly appearance and if not, upon thirty (30) days notice to correct said appearance may be removed by the Building Inspector or other County Authority.

**SECTION 15. ILLUMINATED SIGNS**

All illuminated signs shall use base-mounted lights and shall be activated by photoelectric cells. Such lights shall be directed only on the sign face and shall be effectively shielded so as to prevent beams or rays of light from being directed into any portion of the roadway. The illumination of any sign within 100 feet of any residential use shall be defused or designed to prevent direct rays of light from shining into those adjoining uses. Additional lighting, including but not limited to animation or running lights, shall be prohibited. Metal, plastic faceted, or disc material sometimes referred to as solaray or other material that may appear to provide the effect of motion shall be prohibited. No revolving or rotating beam of light that resembles or simulates any emergency light device shall be permitted as part of any sign. Flashing devices shall not be permitted upon a sign; however, illuminated signs that indicate customary public information such as time, date, temperature or other similar information shall be permitted.

**SECTION 16. EXTENSIONS OR EXTRUSIONS**

Extensions or extrusions beyond the face of the sign, excluding aprons, shall be prohibited.

**SECTION 17. OBSTRUCTION TO HISTORICAL SITE**

No sign shall be placed in or obstruct the view of an area that has historic interest.

**SECTION 18.** No tree or natural growth shall be cut from the public right of way to accentuate the viewing of any sign lawfully installed.

**CHAPTER 2. ENFORCEMENT**

**SECTION 1.** The Commissioner of Chattooga County is empowered pursuant to this ordinance to enforce the terms and conditions of said ordinance by injunction or other appropriate legal remedy to prohibit violation of said ordinance.

**SECTION 2. MISDEMEANOR OFFENSE**

Any person or entity violating any term or condition of this ordinance shall be punishable by a

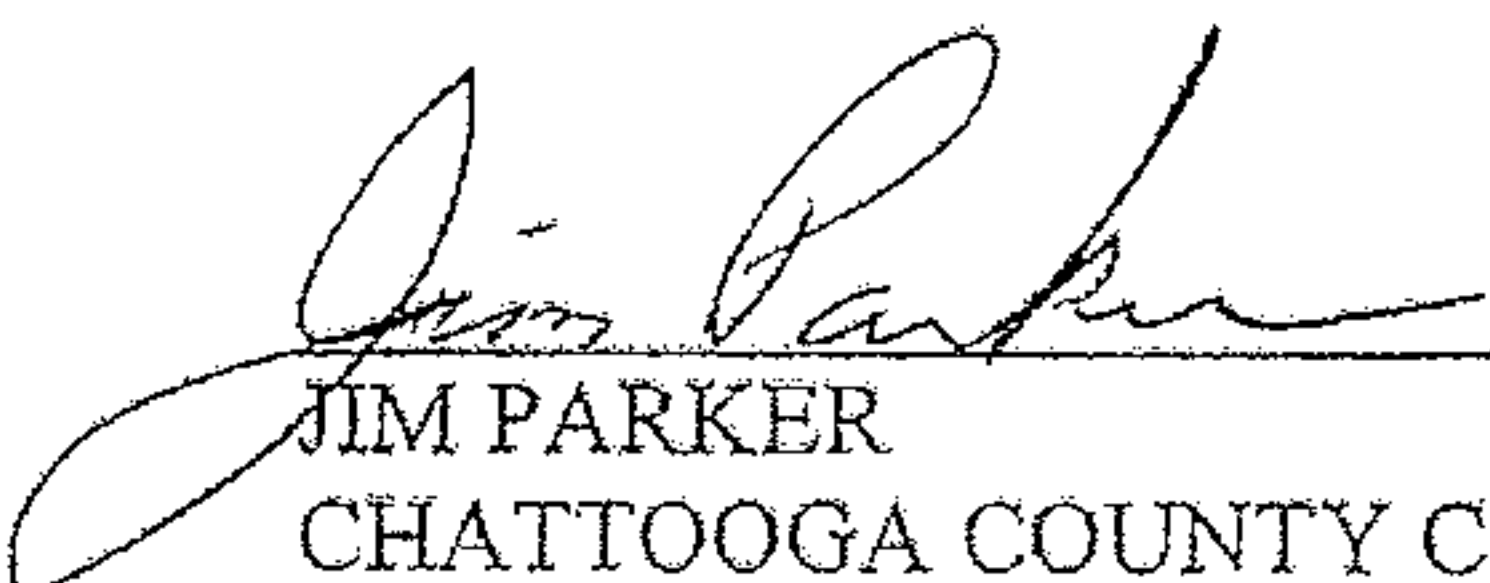
fine of up to \$25.00 per offense/violation. Each day any condition of this ordinance is violated shall constitute a separate offense and violation and punished accordingly.

### CHAPTER 3. SEVERABILITY

**SECTION 1.** If any portion of this ordinance is declared to be illegal or unconstitutional, such invalidity shall not affect the validity of the remaining terms of this ordinance.

This ordinance shall become effective upon adoption.

This ordinance is hereby adopted on this 25<sup>th</sup> day of February, 2004.

  
\_\_\_\_\_  
JIM PARKER  
CHATTOOGA COUNTY COMMISSIONER

Attest:

  
\_\_\_\_\_  
County Clerk

Duly entered upon the Minutes of the Commission this 25<sup>th</sup> day of February, 2004.

  
\_\_\_\_\_  
County Clerk

**CHATTOOGA COUNTY  
SIGN REGULATIONS ORDINANCE  
PERMIT APPLICATION**

Date \_\_\_\_\_

Permit No. \_\_\_\_\_

I hereby make application for permit for the following freestanding sign to conform to the ordinance and regulations of Chattooga County.

Name of Sign Contractor \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

Business Registration Number \_\_\_\_\_

\*\*\*\*\*

Name of Owner Property \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

\_\_\_\_\_  
Signature of Property Owner

\*\*\*\*\*

Description of Sign \_\_\_\_\_

Street Address of Property where sign is to be located \_\_\_\_\_

\*\*\*\*\*

The following must be attached to this permit application before submission:

- (A) Drawing of sign showing height of sign, area of face of sign, and structural support of sign
- (B) Survey or tax plat of property where sign will be located and showing location of sign, distance from property lines and the paved street right-of-way.

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I hereby certify that the information given herein is correct and true \_\_\_\_\_  
Owner or Agent

\_\_\_\_\_  
Chattooga County Commissioner's Office