

RESOLUTION AMENDING THE ZONING ORDINANCE  
OF MADISON COUNTY, GEORGIA

For the purpose of promoting the health, safety, and general welfare of the present and future inhabitants of Madison County and to further the purposes of the Madison County Zoning Ordinance as set forth therein, the Board of Commissioners of Madison County does hereby ordain and enact into law the following changes to the Zoning Ordinance.

1. Article X, the Sign Ordinance is hereby deleted in its entirety and the following substituted in its place:

## **ARTICLE X: SIGNS**

### **Article X: Sign Regulations**

#### **Section 10.1: Purpose and Intent of Article X**

The following regulations in the chapter are designed to promote the public health, safety, order, aesthetics and general welfare of the community by: controlling the number, placement, size and traffic hazards; avoiding an environment that encourages visual blight; and encouraging a more attractive urban environment.

#### **Section 10.2: Signs shall meet applicable codes.**

Signs and other advertising structures shall be constructed and maintained in strict conformity with building electrical codes and all other applicable regulations.

#### **Section 10.3: Signs are permitted accessory uses.**

Signs and other advertising structures are permitted as accessory uses, subject to all applicable limitations as specified in this chapter.

#### **Section 10.4: Permit required.**

Except as otherwise excepted by the provisions of this chapter, any sign 33 square feet in area or larger shall require a permit to be issued by the Planning and Zoning Department before installation, construction, or erection. It shall be unlawful for any person or erect, construct, enlarge, move or convert any sign, 33 square feet or larger, without first obtaining a permit from the Planning and Zoning Department, provided, however, that nothing in this section shall be constructed to require a permit for the repainting, cleaning or other normal maintenance or repair of a sign or sign structure.

## **Section 10.5: Permit application.**

Applications for permits to erect, construct, enlarge, move or convert signs shall be made to the Planning and Zoning Department upon forms furnished by the department. The application for a permit shall include any such information such as, but not limited to, ownership information, location, construction cost, scaled site plans and elevation drawings, structural details or other information necessary to ensure compliance with the provisions of this chapter and all applicable codes.

## **Section 10.6: Permit fees.**

No permit shall be issued until the appropriate application has been filed and fees have been paid as established by the board of commissioners.

## **Section 10.7: Signs and sign devices prohibited.**

The following signs and sign devices shall be prohibited:

1. Animated signs involving motion or sound.
2. Flashing, blinking, or varying light intensity signs, except time, temperature, date and public service signs.
3. Projecting signs.
4. Roof signs.
5. Sandwich, sidewalk or curb type signs.
6. Signs erected on or over public property including public rights-of-way, other than signs erected by public authority for a public purpose.
7. Signs, except those designated "Posted property" or "no trespassing," which are erected or maintained upon trees or other natural features.
8. Signs attached to or painted onto a vehicle parked adjacent to and visible from a street for the sole purpose of advertising onto such street.

## **Section 10.8: Public signs and sign devices exempted.**

Any sign designed, erected or maintained for a public purpose by a public agency or authority, or by a private person for a public purpose, is exempt from the provision of the chapter. 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, 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; public memorial signs and tablets; and identification signs and bulletin boards for churches and places of worship.

## **Section 10.9: Signs permitted in A1, A2, RR, R1, R2 and R3.**

The following signs are permitted in the above zones.

1. Directional signs, not exceeding 4 square feet in area, nonilluminated.
2. Flags, banners and flying paraphernalia.
3. Holiday lights and decorations.
4. Home business signs.
5. Identification signs, nonilluminated, at the entrance drive of individual residences, estates, farms, ranches and plantations which do not exceed 32 square feet of area, with a limit of two signs for each entrance drive
6. Identification signs and project identification monuments, nonilluminated, for residential subdivisions and complexes not exceeding 32 square feet of area.
7. Identification signs, nonilluminated, for fraternal organizations or other similar permitted institutional uses, located on site, limited to one sign per premises not exceeding 32 square feet of area.
8. Political signs, nonilluminated, not to exceed eight square feet of area.
9. Portable signs, nonilluminated, limited to one sign per individual business establishment.
10. Real estate signs, nonilluminated, located on site, pertaining to the rent, lease or sale of the premises, not exceeding eight square feet of area, limited to one sign per premise.
11. Signs, nonilluminated, for permitted sales, rental and leasing offices, and manager's residences that do not exceed eight square feet of area.

## **Section 10.10: Signs permitted in B1, B2, and I.**

The following signs are permitted in the above zones.

1. If the business has a standardized signage plan, the signs will be permitted upon presentation of the plan.

Business not meeting requirements in Section 10.10-1 the following will be required.

2. A business identification sign, either freestanding or attached, not exceeding 32 square feet in area, on which the name and nature of the business operated on the premises as the principal use are shown. Such business identification signs shall be permitted to be as large as 64 square feet if the owner of the property in question elects not to utilize his allowance for a portable sign.
3. A secondary business identification sign, either freestanding or attached, not exceeding eight square feet in area, on which the name and nature of a business operated on the premises area shown.
4. Attached signs, including marquee and canopy signs, with a total sign area not exceeding 25 percent of the area of the building wall, marquee or canopy to which the sign or signs are attached.
5. Window signs, not exceeding 25 percent of the total area of the window.

### **Section 10.11: Maximum sign height.**

No permitted sign, regardless of type, shall exceed the following height limitations:

1. Twenty feet as measured from road surface in A-1, A-2, and RR zones.
2. Eight feet as measured from road surface in R-1, R-2, and R-3 zones.
3. Forty feet as measured from road surface in the B1, B2, and I zones.

### **Section 10.12: General requirements for signs.**

Signs, regardless of the 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 provided, shall be maintained in safe and good working order.
2. Signs shall be set back a minimum of 5 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. Any illuminated sign shall be placed so that the rays and illumination therefrom shall not be cast upon neighboring dwellings, to the extent possible.
5. All permitted marquee or projecting signs shall be erected under the supervision of the building official.
6. Other attached signs shall be inspected for safety and compliance with this chapter at the discretion of the Planning and Zoning Department or other official designated by the board of commissioners.

### **Section 10.13: Variances permitted.**

- a. Recognizing that the strict application of the provisions of this chapter may, in limited instances involving unique or unusual physical conditions or other such unanticipated situations, pose an unnecessary hardship to the owner or user of a sign, the board of commissioners authorized to permit variances from the provisions of this chapter, including but not limited to the following;
  1. An increase in the height of a sign.
  2. Reduction of the required 5 foot setback for a sign.
  3. A sign of such type that is prohibited by section 10.7.
  4. An increase in the maximum area of a sign.
  5. Temporary signs and sign devices.
- b. Applications for any of the variances set out in subsection (a) of this section shall be filed and considered in accordance with the requirements and procedures for variances and in addition 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.

## **Section 10.14: Procedures for dangerous or unlawful signs.**

Should any sign become insecure or in danger of falling or otherwise unsafe in the opinion of the building inspector or the Planning and Zoning Department, the owner thereof, or the person or firm maintaining the sign, shall upon written notice from the building inspector or the Planning and Zoning Department, forthwith in the case of immediate danger, and in any case within 10 days, secure the sign in a manner to be approved by the building official or Planning and Zoning Department, in conformity with the applicable provisions of the building code of the county. If such order is not complied with in 10 days, the property owner shall receive a court citation to appear in court. In case any sign shall be installed, erected, or constructed in violation of any of the terms of this chapter the Planning and Zoning Department shall notify by certified mail, or written notice served personally, the owner to alter such sign, secure the necessary permit, make required alterations, or remove the sign. If such order is not completed within 24 hours from the time of notice being received, the property owner shall receive a court citation to appear in court.

## **Section 10.15: Election or Political Campaign Signs.**

Election or political campaign signs, notwithstanding anything herein to the contrary and in accordance with O.G.C.A. section 16-7-58 (a) (2), there is no restriction on the length of time a political campaign sign may be displayed on Private property for which Permission has been granted.

## **Section 10.16: Conformance to state law.**

The following applies to any sign located or to be located with 660 feet of the nearest edge of the right-of-way of an Interstate, U.S. or State-numbered highway (or any other road designated as a "primary highway" by the State of Georgia and approved by the U.S. Department of Transportation), or located or to be located beyond 660 feet of such highway but visible and intended to be read from such highway:

- (1) Such sign shall comply with all requirements of the Georgia Outdoor Advertising Act, O.C.G. A. 32-6-70 et seq.
- (2) Such sign shall comply with all requirements of this Article. Between the Georgia and Madison County regulations, such sign must comply with the most restrictive requirements with respect to each and every item of regulation.

## **Section 10.17: Definitions Related to the Sign Regulations.**

*Animated sign:* Signs that flash, blink, sparkle, rotate, revolve, or have moving parts or visible bulbs

*Awning:* A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway, or window from the elements.

*Awning sign:* A sign imposed, mounted or painted upon a mansard and not extending above the top of the mansard.

*Banner:* A sign other than an official or personal flag, made of paper, cloth, thin plastic, or similar lightweight material, and usually containing a message or logo.

*Building sign:* A sign that in any manner is fastened to, projected from, or is placed or painted upon the exterior wall, window, door, or roof of a building.

*Canopy:* A permanent roof-like structure projecting from at least one side of the building for the purpose of shielding a pedestrian walkway from the elements, or a free standing roof-like structure supported by columns intended to shield a vehicular driveway or service area from the elements.

*Illuminated Sign:* Any sign that is internally or externally illuminated by artificial light.

*Mansard:* A steeply sloped, roof-like façade architecturally similar to a building wall.

*Marquee:* A permanent roof-like structure or canopy of rigid materials supported by and extending from the façade of the building.

*Marquee sign:* Any sign attached flat against the marquee or permanent sidewalk canopy of a building and not extending above the top of the marquee.

*Projecting sign:* A sign affixed to a wall and extending more than 8 inches from the surface of such wall, usually perpendicular to the wall surface.

*Roof sign:* A sign that is mounted on, applied to, or otherwise structurally supported by the roof of a building.

*Sign:* Any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event, or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, colors, movement, or illumination.

*Sign structure:* All elements of a sign, including the sign face, background, or decorative elements related to the presentation or support of the sign’s message, and the structural supports.

*Wall sign:* A sign that is fastened directly to or is placed or painted directly upon the exterior wall of a building, with the sign face parallel to the wall, and extending from the surface of the wall no more than 8 inches.

*Window Sign:* A sign that is placed on or behind a windowpane or glass door and intended to be viewed from outside the building.

Table 1: Permitted Signs – By Land Use Category

	A-1, A-2, RR	R-1, R-2, R-3	B-1, B-2, I	
Max. Height	20'	5'	40'	
Canopy			25 % of area	
Directional	4 sq. ft.	4 sq. ft.		
Home Business	4 sq. ft.	4 sq. ft.		
Identification (2)	32 sq. ft	32 sq. ft.	1-32 sq. ft. & 1- portable or 1-64 sq. ft.	
Marquee			25 % of area	
Political	8 sq. ft.	8 sq. ft.		
Portable Sign Nonilluminated	Limit of one	Limit of one		
Real Estate	8 sq. ft.	8 sq. ft.		
Secondary Sign			8 sq. ft.	
Wall Sign			25 % of wall	
Window Sign			25 % of window	

2. The provisions of this resolution shall be effective upon approval by the Madison County Board of Commissioners.

Approved by the Madison County Board of Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

BOARD OF COMMISSIONERS, MADISON COUNTY, GEORGIA

By: \_\_\_\_\_  
Anthony Dove, Chairman

ATTEST:

\_\_\_\_\_  
Linda Cox, Acting Clerk