

CITY OF KENNESAW, GEORGIA

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 5, APPENDIX A OF THE UNIFIED DEVELOPMENT CODE, OF THE CODE OF ORDINANCES OF THE CITY OF KENNESAW, GEORGIA, SO AS TO AMEND SECTIONS 5.03.14 AND 5.03.18 OF SAID CHAPTER REGARDING POLITICAL CAMPAIGN SIGNS WITHIN THE CITY LIMITS OF KENNESAW, GEORGIA.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KENNESAW, COBB COUNTY, GEORGIA, AS FOLLOWS:

SECTION 1. Chapter 5, Appendix A of the Unified Development Code, of the Code of Ordinances of the City of Kennesaw, Georgia, to amend section 5.03.14 of said Chapter by adding the following:

5.03.14 - General Sign Location

- A. All signs shall be located on private property, except signs erected on public property by any authorized governmental entity. No sign shall be erected on or encroach on any public right of way, except as authorized by a governmental unit or agency.**
- B. Obstructions to doors, windows or fire escapes. No sign shall be erected, relocated, or maintained so as to prevent free ingress and egress from any door, window or fire escape.**
- C. Signs not to constitute traffic hazard. No sign or any part thereof, except authorized public signs, shall be located in any public right of way or public property unless authorized by the City of Kennesaw. No sign may be located any closer than 15 feet to an intersection as measured from the intersection of the two rights of way.**
- D. Setback. In any event, unless a more restrictive setback is specified in the conditions of zoning or otherwise in the zoning district in which the sign is located, all signs and parts of signs shall be set back at least five feet from the right of way of a private street or public roadway. No sign shall project over the right of way.**
- E. No privately owned sign shall be allowed in any easement, including but not limited to the following: (1) conservation easement; (2) dedicated greenspace; (3) facility easement (i.e. sanitary sewer, drainage, access/ egress); (4) City or County controlled and maintained easement.**

- F. Political campaign signs are expressly prohibited on public property owned or otherwise under the control of the City of Kennesaw.**
- G. It shall be unlawful for any person to erect, place, or maintain within the dedicated right of way of any public road any sign, signal, or other device except as authorized by law or ordinance.**
- H. Any sign, signal, device, or other structure erected, placed, or maintained on the dedicated right of way of any public road in violation of paragraph (G) of this ordinance section or in violation of any ordinance adopted pursuant to paragraph (G) of this Code section is declared to be a public nuisance, and city officials may remove or direct the removal of the same.**
- I. Any person who violates paragraph (G) of this ordinance section shall be punished the same as for littering under Code Section 16-7-43. Any person who violates any other provision of this ordinance section shall be guilty of a misdemeanor and punished as set forth in the Kennesaw Code of Ordinances, Sec. 1-11. The remedies and penalties set forth herein are nonexclusive and the exercise of one or more of such remedies or penalties shall not preclude the exercise of another.**

(Ord. No. 2019-05 , § 2(Exh. B), 9-16-19)(State law references: O.C.G.A. §§ 16-7-58 and 32-6-51).

SECTION 2. Chapter 5, Appendix A of the Unified Development Code, of the Code of Ordinances of the City of Kennesaw, Georgia, to amend section 5.03.18 of said Chapter by replacing paragraph 5.03.18(A)(7) with the following:

7. Standard Information Sign. Each lot less than one acre may display two standard information signs. Any lot greater than 1 acre may display two standard informational signs for every 250 feet of road frontage. PSP, TSP and building permit are not required for any standard information sign. Exception: This section does not apply to political campaign signs which are governed by O.C.G.A. § 16-7-58(a)(2).

SECTION 3. Chapter 5, Appendix A of the Unified Development Code, of the Code of Ordinances of the City of Kennesaw, Georgia, to amend section 5.03.18 of said Chapter by replacing paragraph 5.03.18(B)(10) with the following:

10. Standard Information Sign. Each lot less than one acre may display two standard information signs. Any lot greater than 1 acre may display two standard informational signs for every 250 feet of road frontage. PSP, TSP and building permit are not required for any standard information sign. Exception: This section does not apply to political campaign signs which are governed by O.C.G.A. § 16-7-58(a)(2).

SECTION 4. Chapter 5, Appendix A of the Unified Development Code, of the Code of Ordinances of the City of Kennesaw, Georgia, to amend section 5.03.18 of said Chapter by replacing paragraph 5.03.18(C)(14) with the following:

14. Standard Information Sign. Each lot less than one acre may display two standard information signs. Any lot greater than 1 acre may display two standard informational signs for every 250 feet of road frontage. PSP, TSP and building permit are not required for any standard information sign. **Exception:** This section does not apply to political campaign signs which are governed by O.C.G.A. § 16-7-58(a)(2).

SECTION 5. Chapter 5, Appendix A of the Unified Development Code, of the Code of Ordinances of the City of Kennesaw, Georgia, to amend section 5.03.18 of said Chapter by replacing paragraph 5.03.18(D)(14) with the following:

14. Standard Information Sign. Each lot less than one acre may display two standard information signs. Any lot greater than 1 acre may display two standard informational signs for every 250 feet of road frontage. PSP, TSP and building permit are not required for any standard information sign. **Exception:** This section does not apply to political campaign signs which are governed by O.C.G.A. § 16-7-58(a)(2).

SECTION 6. BE IT ORDAINED THAT all ordinances, parts of ordinances, or regulations in conflict herewith are repealed as of the effective date of this ordinance.

SECTION 7. BE IT FURTHER ORDAINED THAT should any section of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 8. BE IT FURTHER ORDAINED THAT this ordinance shall become effective on _____, 2023, and after its adoption and execution by the mayor, pursuant to Section 2.11 of the City Charter of the City of Kennesaw.

PASSED AND ADOPTED by the Kennesaw City Council on this ___ day of May 2023.

ATTEST:

CITY OF KENNESAW

Lea Alvarez, City Clerk

Derek Easterling, Mayor

**CITY OF KENNESAW
GEORGIA**

ORDINANCE NO. 2023-11 2023

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- G. It shall be unlawful for any person to erect, place, or maintain within the dedicated right of way of any public road any sign, signal, or other device except as authorized by law or ordinance.
- H. Any sign, signal, device, or other structure erected, placed, or maintained on the dedicated right of way of any public road in violation of paragraph (G) of this ordinance section or in violation of any ordinance adopted pursuant to paragraph (G) of this Code section is declared to be a public nuisance, and city officials may remove or direct the removal of the same.
- I. Any person who violates paragraph (G) of this ordinance section shall be punished the same as for littering under Code Section 16-7-43. Any person who violates any other provision of this ordinance section shall be guilty of a misdemeanor and punished as set forth in the Kennesaw Code of Ordinances, Sec. 1-11. The remedies and penalties set forth herein are nonexclusive and the exercise of one or more of such remedies or penalties shall not preclude the exercise of another.

(Ord. No. 2019-05 , § 2(Exh. B), 9-16-19)(State law references: O.C.G.A. §§ 16-7-58 and 32-6-51).

SECTION 2. Chapter 5, Appendix A of the Unified Development Code, of the Code of Ordinances of the City of Kennesaw, Georgia, to amend section 5.03.18 of said Chapter by replacing paragraph 5.03.18(A)(7) with the following:

7. Standard Information Sign. Each lot less than one acre may display two standard information signs. Any lot greater than 1 acre may display two standard informational signs for every 250 feet of road frontage. PSP, TSP and building permit are not required for any standard information sign. Exception: This section does not apply to political campaign signs which are governed by O.C.G.A. § 16-7-58(a)(2).

SECTION 3. Chapter 5, Appendix A of the Unified Development Code, of the Code of Ordinances of the City of Kennesaw, Georgia, to amend section 5.03.18 of said Chapter by replacing paragraph 5.03.18(B)(10) with the following:

10. Standard Information Sign. Each lot less than one acre may display two standard information signs. Any lot greater than 1 acre may display two standard informational signs for every 250 feet of road frontage. PSP, TSP and building permit are not required for any standard informational sign. Exception: This section does not apply to political campaign signs which are governed by O.C.G.A. § 16-7-58(a)(2).

SECTION 4. Chapter 5, Appendix A of the Unified Development Code, of the Code of Ordinances of the City of Kennesaw, Georgia, to amend section 5.03.18 of said Chapter by replacing paragraph 5.03.18(C)(14) with the following:

14. Standard Information Sign. Each lot less than one acre may display two standard information signs. Any lot greater than 1 acre may display two standard informational signs for every 250 feet of road frontage. PSP, TSP and building permit are not required for any standard information sign. Exception: This section does not apply to political campaign signs which are governed by O.C.G.A. § 16-7-58(a)(2).

SECTION 5. Chapter 5, Appendix A of the Unified Development Code, of the Code of Ordinances of the City of Kennesaw, Georgia, to amend section 5.03.18 of said Chapter by replacing paragraph 5.03.18(D)(14) with the following:

14. Standard Information Sign. Each lot less than one acre may display two standard information signs. Any lot greater than 1 acre may display two standard informational signs for every 250 feet of road frontage. PSP, TSP and building permit are not required for any standard information sign. Exception: This section does not apply to political campaign signs which are governed by O.C.G.A. § 16-7-58(a)(2).

SECTION 6. BE IT ORDAINED THAT all ordinances, parts of ordinances, or regulations in conflict herewith are repealed as of the effective date of this ordinance.

SECTION 7. BE IT FURTHER ORDAINED THAT should any section of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 8. BE IT FURTHER ORDAINED THAT this ordinance shall become effective on May 15, 2023, and after its adoption and execution by the mayor, pursuant to Section 2.11 of the City Charter of the City of Kennesaw.

PASSED AND ADOPTED by the Kennesaw City Council on this 15th day of May 2023.

ATTEST:

CITY OF KENNESAW



Lea Alvarez, City Clerk



Derek Easterling, Mayor

