

THE COUNCIL OF THE CITY OF HIAWASSEE HEREBY ORDAINS

AN ORDINANCE TO AMEND CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF HIAWASSEE; TO AMEND SECTION 28-13 RELATED TO SIGNS IN NON-RESIDENTIAL AREAS; TO REGULATE FEATHER SIGNS; TO REGULATE TEMPORARY SIGNS; TO REGULATE SIGNS FOR BUSINESS GRAND OPENINGS; TO RENUMBER CERTAIN SECTIONS; TO PROVIDE FOR ENFORCEMENT AND PENALTIES AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

1. Chapter 28 of the Code of Ordinance of the City of Hiawassee shall be amended by deleting in its entirety the text of Section 28-13 entitled "General size and location requirements in non-residential areas," and inserting the following in lieu thereof.

Sec. 28-13. General size and location requirements in non-residential areas.

(a) No freestanding sign may be located within 30 feet of the intersection of street right-of-way lines extended.

(b) No sign shall be located on any building, fence or other property belonging to another person without the consent of the owner, and as permitted under the provisions of this chapter.

(c) Stanchion signs.

(1) Stanchion signs for parcels exceeding three acres shall not exceed a sign area of 300 square feet.

(2) Stanchion signs for parcels less than three acres, but equal to or greater than 30,000 square feet shall not exceed a sign area of 150 square feet.

(3) Stanchion signs for parcels less than 30,000 square feet in size shall not exceed a sign area of 70 square feet.

(4) Stanchion signs shall only be located on property in commercial, industrial or non-residential areas and shall be limited to one such sign per parcel per street frontage.

(d) Monument signs.

(1) Monument signs shall not exceed 60 square feet of total area, which shall include signage and structure, and shall be limited to one such sign per parcel per street frontage.

(e) Wall and awning signs.

(1) Wall and awning signs shall not project above or beyond the parapet wall (i.e., no extension beyond the building itself).

- (2) Wall signs shall not project beyond the building face. Awning signs shall not project beyond the building face by more than four feet.**
- (3) Wall and awning signs shall not exceed a sign area of 300 square feet or ten percent of the wall face of the premises to which the sign relates, whichever is less, on each street facing wall.**
- (4) The maximum wall or awning sign height shall be ten feet.**
- (5) Wall signs shall only be located on property in commercial, industrial or non-residential areas.**
- (6) Each building tenant shall be limited to one wall or awning sign on each street facing wall.**

(f) Banners.

- (1) A banner is a sign that is not, permanently or for a long period of time, affixed to a pole(s), building, wall or structure. There are two types of banner signs:
 - a. Banner business identification signs are for new businesses that need a temporary banner while coordinating the installation of permanent signs with a maximum of not to exceed 90 days.**
 - b. Banner advertising/promotional signs are for temporarily advertising or promoting business or events that are affixed to a pole(s), wall, building surface, or similar structure.****
- (2) No person shall be permitted to display more than one banner on the premises, and only one banner shall be displayed on the premises at any given time;**
- (3) No banner shall be any larger than 60 square feet;**
- (4) No banner shall be attached to trees.**
- (5) A permit is required, but no fee will be charged; provided that if a banner is not removed by the 60th day, the owner must wait 30 days after removal of the banner before obtaining another permit and must pay a \$30.00 administrative fee.**

(g) Projecting signs.

- (1) No projecting sign may be placed over public streets, alleys, or ways available for vehicular traffic.**
- (2) Night illumination. Every projecting sign located at a commercial business shall be illuminated between sunset and 11:00 p.m. every night, on each side thereof, by at least five watts per square foot of sign surface, but in no case less than 800 lumens for each sign surface.**

(3) All projecting signs must be installed at a 90-degree angle to the building facade.

(4) The bottom of any such sign shall have a ground clearance of at least eight.

(h) Maximum aggregate sign area.

(1) Parcels may contain more than one freestanding sign, provided that:

(2) Parcels exceeding three acres with greater than 50,000 square feet of total gross leasable area, shall be allowed one freestanding sign with a maximum aggregate sign area of 300 square feet plus one additional freestanding sign for each additional 100,000 square feet not to exceed a maximum aggregate sign area of 150 square feet, per street frontage.

(3) Businesses that are in a plaza are allowed 3 feather flags or two air dancers per plaza.

(4) Parcels less than 30,000 square feet in size shall be allowed a maximum aggregate sign area of 100 square feet for the entire parcel.

(5) These limits shall not include the area of any wall signs, or window signs located on the parcel.

(6) These limits shall include the area of all freestanding signs on the parcel.

(i) Hanging, and wall signs.

(1) Only one sign allowed per business per street frontage.

(2) No signs will be allowed on the DOT right-of-way.

(j) Neon signs.

(1) Neon signs are permitted but limited to 25 square feet of total size.

(k) Yard sale signs are considered temporary signs.

(l) Temporary signs, excluding yard sales signs, must be removed from the premises at the end of business hours. If any temporary sign is erected or maintained in such a manner so as to be in violation of this article or any other ordinance or law of the city, will give written notice to the owner thereof and to the owner of the property and premises upon which the sign is located that the sign must be removed within three days. If the sign is not thereafter removed, the city will issue a citation and seek a fine in accordance with section 28-20(c).

2. Chapter 28 of the Code of Ordinance of the City of Hiawassee shall be further amended by adding a new Section 28-16 entitled "Grand openings," to read as follows.

28-16. Grand openings.

During the 30-day period of a grand opening of a business, whether stand alone or in a plaza, can apply for a temporary grand opening permit which would allow up to 4 temporary signs. This one-time permit for the new business can include two feather flags or two air dancers or one feather flag and one air dancer, any combination not exceeding two in total.

3. Chapter 28 of the Code of Ordinance of the City of Hiawassee shall be further amended by renumbering certain sections as follows.

Sec. 28-16. Variances. TO Sec. 28-17. Variances.

Sec. 28-17. Exemptions from permit requirements. TO Sec. 28-18. Exemptions from permit requirements.

Sec. 28-18. Illumination/accent lighting. TO Sec. 28-19. Illumination/accent lighting.

Sec. 28-19. Enforcement and penalties. TO Sec. 28-20. Enforcement and penalties.

4. Chapter 28 of the Code of Ordinance of the City of Hiawassee shall be further amended by deleting in its entirety the text of renumbered Section 28-20,0 "Enforcement and penalties," and inserting the following in lieu thereof.

Sec. 28-20. Enforcement and penalties.

(a) All signs shall be maintained in good condition as to present a neat and orderly appearance. The city shall, after due notice, issue a citation to any permittee for any sign which shows gross neglect or becomes dilapidated. Such due notice shall be in writing, shall specify the sign and location, and shall state that the sign has not been properly maintained. The city shall give the permittee 5 days to rectify the condition or remove the dilapidated sign before issuing a citation.

(b) The city shall issue a citation for violation of this chapter by any sign erected, altered, converted, or used in violation of this chapter.

(c) Any person violating any provision of this chapter shall be liable for a fine of \$150.00 for each violation. Each day a sign is posted in violation of this chapter shall constitute a separate violation.

5. Repealer. All ordinances or parts of ordinances that conflict with this ordinance are hereby repealed.

6. Severability. If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this Ordinance shall be declared invalid or unconstitutional by any Court of competent jurisdiction, or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be

CITY OF HIAWASSEE
COUNTY OF TOWNS
STATE OF GEORGIA

2023 SIGN ORDINANCE AMENDMENT
ORDINANCE NUMBER 2023-09-01

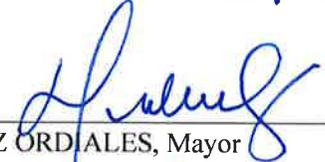
invalid. It is hereby declared to be the intent of the City Council to provide separable and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

7. This ordinance shall be effective upon signature by the Mayor or five days after final adoption by the City Council.

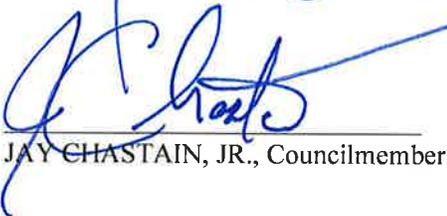
SO ORDAINED.

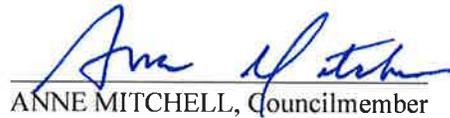
First Reading 4th day of OCTOBER 2023.

Second Reading, 7th day of NOVEMBER, 2023.


LIZ ORDIALES, Mayor


AMY BARRETT, Councilmember

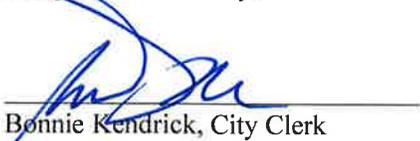

JAY CHASTAIN, JR., Councilmember


ANNE MITCHELL, Councilmember


NANCY NOBLET, Councilmember


PATSY OWENS, Councilmember

Adoption Certified by:


Bonnie Kendrick, City Clerk

Approved as to form:


Thomas Mitchell, City Attorney

