

ORDINANCE NUMBER ____

CITY OF HIAWASSEE
2008 COMPREHENSIVE SIGN ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HIAWASSEE,
THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:

Section 1: Title.

This ordinance will be known as the "City of Hiawassee 2008 Comprehensive Sign Ordinance" ("ordinance").

Section 2: Definitions

These following definitions shall apply in the interpretation and enforcement of this ordinance, unless otherwise specifically stated:

Column Sign means a sign permanently affixed to realty and supported by one or more columns or poles or other similar support system.

Directional sign means:

- (a) A sign, permanently erected or permitted in the public right-of-way or private property by the city or other governmental agency to denote the name of any thorough-fare; the route to any city, town, village, educational institution, public building, historic place, shrine or hospital; to direct and regulate traffic; to denote any railroad crossing, bridge or other transportation company for the direction or safety of the public.
- (b) A sign, notice or symbol for the information of the Federal Aviation Agency as to locations, directions, landings and conditions affecting safety in aviation.
- (c) An on-premises temporary sign which contains information regarding the time and place of regular meetings of civic or religious groups.

Directory sign also means a sign listing only the names and/or use or location of more than one business, activity or professional office conducted within a building, group of buildings or commercial center.

Double-faced sign means a sign with two faces which are usually, but not necessarily, parallel.

Electrical sign means a self-illuminated sign or sign structure in which electrical wiring, connections and/or fixtures are used as part of the sign proper.

Facade means the entire building wall, including main street wall face, and parapet, fascia, windows, doors, canopy and roof on any complete elevation.

Flashing sign means any lighted or electrical sign which emits light in sudden transitory bursts.

Freestanding sign means a sign supported by a sign structure permanently affixed to realty and secured in the ground and which is wholly independent of any building, fence, vehicle or other support.

Ground Mounted Sign means a freestanding sign, supported by a contiguous structural base or planter box that is *permanently affixed* to the ground.

Illuminated sign, external means any sign which is directly lighted by an external source.

Illuminated sign, internal means any sign which transmits light through its face or any part thereof.

Inflatable sign means a sign that is either expanded to its full dimensions or supported by gasses contained within the sign or sign parts at a pressure greater than atmospheric pressure.

Informational Sign means an electrical, electronic or computerized sign which does not contain rotating or moving parts and which contains a moving, changing or repeating message or information of general interest or business advertisement and does not blink or flash nor contain animated characters.

Ingress/Egress sign means a sign which designates only the direction of ingress or egress of a parking area or driveway, such as "Enter," "Exit," "One Way," "Do Not Enter," etc.

Moving sign means a sign, which rotates on a pole or similar fixture or to which movement is used to draw attention to the sign including the use of attachments or moving parts.

Notwithstanding any provision of this Ordinance to the contrary, all *Rotating Signs*, as defined hereinafter, shall also be considered a moving sign for the purposes of this ordinance.

Non-profit sign means any sign identifying public service, religious or civic club organizations, and the activities they conduct or participate in.

Occupancy means any use of or activity upon the premises.

Off-premises sign means any sign located or proposed to be located any place other than within the same plated parcel of land which the specific business or activity promoted on such sign is itself located or conducted. For purposes of this article, easements and other appurtenances shall be considered to be outside such plated parcel of land and any sign located or proposed to be located in an easement or other appurtenance shall be considered an off-premises sign.

On-premises sign means any sign located or proposed to be located any place, if otherwise permitted by this article, within the plat of record for the business or other activity identified on such sign.

Painted wall sign means a sign painted directly on any exterior building wall or door surface. *Panel* means the primary surface of a sign upon which the message of the sign is carried.

Permitted sign means a sign which meets the requirements of this ordinance and for which a valid permit has been issued.

Political sign means a sign erected by a political candidate, group or agent thereof, for the purpose of advertising a candidate or stating a position regarding an issue upon which the voters of the city shall vote.

Portable sign means any sign, which is not permanently affixed to realty, to a building, to a structure or permanent affixed in the ground. It will also mean any sign attached to a motor vehicle if said vehicle does not have a valid tag issued.

Premises, lot, tract, or realty means property within the City of Hiawassee, as shown by recorded deed or plat of record by which the owner of record acquired title and which is affected either directly or indirectly by this article or upon which a sign regulated by the ordinance is placed.

Project sign means any sign erected and maintained on the premises temporarily while undergoing construction by an architect, contractor, developer, finance or banking entity or organization, subcontractor or materials vendor upon which property such individual is furnishing labor, services or material. All project signs must be removed within twenty (20)

days of the completion of the project or the issuance of a certificate of occupancy or final inspection by the county building inspector.

Public right-of-way line means the line where the property meet the public right-of-way at a public street or public waterway, provided that this definition shall not include unimproved alleys, easements or other similar dedicated uses.

Public way means any street, highway, road, path or right-of-way, whether privately or publicly owned, which is designed or used for vehicular or pedestrian traffic, either by public right or custom or by invitation of two or more common owners.

Real estate sign means a temporary sign erected by the owner, or his agent, advertising the real property upon which the sign is located for rent, lease or sale, limited to one sign per street frontage.

Roof means the exterior upper covering of the top of a building.

Roof sign means any sign erected on or over, and wholly or partially dependent upon the roof of any building for support, or attached to the roof in any way.

Rotating sign means any sign which revolves around one or more fixed poles, supporting structure(s), or which otherwise moves or has moving parts or components to draw attention to the sign.

Sidewalk or sandwich sign means a movable sign not secured or permanently attached to the ground or any building or structure.

Sign means any device or presentation for visual communication used for the purpose of bringing the subject to the attention of others which is located on or attached to premises, real property, structures on real property or a vehicle.

Sign Area means the square-foot area enclosed by the perimeter of the sign face. On signs which are composed of individual symbols, letters, figures, illustrations, messages, forms or panels, the sign area shall include all lettering, wording and accompanying designs and symbols, together with the background on which they are displayed, and frame around the sign and cutouts or extensions, but shall not include any supporting structure or bracing.

Sign Face means the part of the sign that is used, or can be used, to identify or communicate information or for visual representation which attracts the attention of the public for any purpose. Sign face includes any background material, panel, trim or color that differentiates the sign from the building, structure, backdrop surface or object upon which or against which it is placed. The sign structure shall not be included as a portion of the sign face, provided no message, symbol or any of the aforementioned sign face criteria are displayed on or

designed as part of the sign structure.

Sign structure means a supporting structure permanently affixed to realty, erected, used or intended for the purpose of identification or attracting attention, with or without a sign thereon, situated upon or attached to the premises, upon which any sign may be fastened, affixed, displayed or applied. This definition shall not include a building, fence, wall or earthen berm.

Snipe sign means a sign which is not permanently affixed to realty, regardless of composition, which may be tacked, nailed, posted, pasted, glued or attached to trees, poles, stakes or fences, or to other objects.

Special Event sign means a snipe or temporary sign, which carries a message regarding a special event, or function that is of general interest to the community and erected for fourteen (14) days or less.

Swinging sign means a sign installed on an arm, mast or spar that is not permanently fastened to an adjacent wall or upright pole.

Temporary sign mean any sign or information transmitting device intended to be erected or displayed for a limited period not to exceed fourteen (14) calendar days.

Time and temperature sign means an electrical sign utilizing lights which periodically go on and off to display the current time and temperature in the community.

Traffic direction/safety sign means a sign which is on the premises; consisting of type and/or an arrow; and is designed, sized and erected solely for the purpose of vehicular or pedestrian traffic direction or safety. Such sign will have no advertising words or phrases.

Vehicle sign means a permanent or temporary sign affixed, painted on or placed in or upon any vehicle, trailer or other device capable of being driven or towed, which is displayed in public view under such circumstances as to location of the premises, time of day, duration, availability of other parking space on the premises, and the proximity of the vehicle to the area on the premises where it is loaded, unloaded or otherwise carries out its principal functions, which circumstances indicate that the primary purpose of the display is to attract the attention of the public rather than to serve the business or the owner thereof in the manner which is customary for the vehicle.

Window sign means any sign which is painted on, applied to, attached to or projected upon or within the exterior or interior of a building glass area, including doors, or located within three feet of the interior of a building glass area, including doors, whose identification, message, symbol, insignia, visual, representation, logotype or any other form which communicates information can be read from off-premises contiguous property or public right-of-way.

Window sign, temporary means a window sign of a temporary nature used to direct attention to the sale of merchandise, or a change in the status of the business, including, but not limited to, sign for sales, special and grand openings not to exceed fourteen (14) calendar days.

Section 3: Purpose.

The purpose of this ordinance is for:

- (a) Safety.
 - (1) To ensure signs do not create traffic hazards by distracting or confusing
 - (2) To ensure signs do not create a hazard due to collapse, fire, collision,
 - (3) To ensure signs promote the aesthetics, safety, health, morals and general

(b) Information.

To promote the efficient transfer of general public and commercial information through the use of signs.

(c) Public Welfare.

To protect the public welfare and enhance the overall appearance and economic value of the landscape and preserve the unique natural environment that distinguishes this city from others; to acknowledge that the city's economic well being is heavily dependent upon the resort and tourism industry and our native beauty; and to preserve our environment from unreasonable signage as a matter of economic necessity.

Section 4. Authorized or Permitted Signs.

All signs listed in Section 2 and Section 5 are permitted under the terms and conditions contain within their definitions, unless specifically prohibited in the following Section 6. All Authorized or Permitted Signs under Section 2 or Section 5 shall meet the criteria, specifications and requirements contained herein and under each sign definition.

Section 5. Political Signs.

Political signs shall be allowed without the issuance of a formal permit from the city, subject to the following restriction, standards, and allowances specified herein:

- (a) No political sign may be erected in any City, County or State of Georgia Right-of-way, and must be set back a minimum of five feet from any public right-of-way.
- (b) Political signs may not exceed a total area of twenty-four (24) square feet.
- (c) No political sign may be self illuminated or contain any moving, flashing, or animated lights, or have moving parts, or give the appearance of animation.
- (d) No more than one political sign per candidate or issue is allowed within 100 feet of any similar political sign per candidate.
- (e) Political signs may be erected *ninety (90)* calendar days prior to the election for which the sign is intended to influence, and must be removed no later than seven days after the final election including any run-offs for which the sign is intended to influence.
- (f) The top height of any political sign measured from the ground directly beneath the sign, may not exceed eight (8) feet in height.
- (g) Political signs may not be painted on or attached to trees, fencepost, rocks or to the natural features, telephone or utility poles, or painted on the roofs of building visible from any public way.
- (h) Political signs may not be erected or displayed in such a manner as to obstruct free and clear vision of a street, intersection, or ingress or egress from parking lots.
- (i) Political signs may be erected only with the permission of the landowner.
- (j) No political sign may be erected prior to the qualification of that candidate for office.
- (k) No political sign shall be erected more than *ninety (90) days* prior to the general/special election for which the candidate qualifies.

PROHIBITED SIGNS.

Section 6. Prohibited Signs.

Except as may be specifically permitted hereinafter, it shall be unlawful for any person to effect, place or use within the city, when visible from any public way, any of the following signs:

- (a) Snipe Signs.
- (b) Open/closed signs of paper or plastic displayed on the exterior of buildings.
- (c) Canopy signs which exceed the roof line of the building to which the signs are attached.
- (d) A moving or rotating sign, or any sign regardless of designation which contain structurally rotating parts, the rotation of the entire surface of the sign as it sits on the base, which is secured to the ground.
- (e) Roof signs.
- (f) Any sign which emits a sound, odor or visible matter.
- (g) Any sign that obstructs or substantially interferes with any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress, or egress for any building.
- (h) Any sign and/or sign structure which obstructs the view of, or may be confused with, or purposed to be a governmental or traffic directional/safety sign.
- (i) Simulated Traffic Signs and Obstructions – Any sign which may be confused with or obstructs the view of any authorized signal or traffic sign, extend into the public right-of-way, obstruct the sight distance triangle at any street intersection, or in any way constitutes a hazard to traffic.
- (j) Any sign or sign structure, other than freestanding, which extends above the parapet or building roof line against which the sign is located.

- (k) Signs using the words "stop", "danger" or any other word, phrase, symbol or character in an manner that misleads, confuses or distracts a vehicle driver
- (l) Signs painted on or attached to trees, fencepost, rocks or other natural features, telephone or utility poles or painted on the roofs of buildings visible from any public way.
- (m) Dilapidated signs.
- (n) Any abandoned sign or any sign that advertises a business or product no longer existing or sold on the premises.
- (o) Any sign or sign structure that is structurally unsafe.
- (p) Any sign which exhibits statements, words or pictures of indecent, obscene or pornographic subjects or material.
- (n) Any Portable Signs or sign that is not permanently attached to a building, stationary structure, or the ground, including, but not limited to, A-frame, sandwich board, sidewalk, or curb signs.
- (o) Signs affixed to private residence, dwelling or upon the grounds thereof, except one personal identification sign not to exceed two square feet and/or two "For Sale" or "For Rent" signs not exceeding six square feet each, limited to one sign per frontage road on which the residence is located and not to exceed a total of two signs per tract, lot or property.
- (p) Any inflatable signs or balloons.
- (q) Banner Signs, except one banner sign per lot, tract, or property, subject to the requirement that a special banner sign application be completed and a banner sign fee of ten dollars (\$10.00) be paid prior to display, and that the display shall not be for more than three (3) months display followed a period of non-display for a minimum of two (2) months.

- (r) Any sign with searchlights or beacon lighting.
- (s) Paper signs on the exterior of building.
- (t) Any sign that is placed on or affixed to a vehicle or trailer, including but not limited to “For Sale” or any advertising signage, that is parked in the public right of way, on public property, or on private property so as to be visible from the public right of way. This prohibition shall not apply to a sign on a vehicle that is regularly used and driven in normal day to day operations of a business.
- (u) More than one (1) sign that advertises a product, service or business, that is not sold at the physical location of the sign, and is considered “off-site” from the physical location of the advertising product, service, or business.
- (v) Any sign where the top height of said sign exceeds in height the highest point of the roof of the tallest, on-premise building, not to exceed twenty-five (25) feet as measured from the ground supporting the base of Ground-mounted or Column Signs.
- (w) Finger or pennant streamers.
- (x) Flags of any type other than U.S. or State Flags displayed in compliance with Federal and State Law, or Flags of general community interest or flags to commemorate national or state holidays, local or historical events, or flags displayed by non-profit organizations and chambers of commerce for beautification or community spirit.

Section 7. Number, Specifications and Uniform Design of Signs.

Notwithstanding any provision of this Ordinance to the contrary, all Authorized or Permitted Signs shall meet the following uniform requirements:

- (a) Materials, colors, and shapes of proposed signs and sign structures shall be compatible with the related buildings on the property on which the sign is sited.
- (b) Sign structures and supports may be of stucco, natural and painted wood, brick, stone or other materials with similar texture and appearance that are considered appropriate to maintain the character of the existing building, structures on the property on which the sign is located.
- (c) Fluorescent colors are prohibited.
- (d) Signs shall respect the overall architectural composition of the building on the property on which the sign is located and its scale, and not overwhelm any building facade on the property.
- (e) Signs shall not cover up or interrupt major architectural or historical features of a building.
- (f) Business or commercial sign messages shall include the name and /or street address, products or services provided by the business.
- (g) Each business located on a lot or tract may have one ground mounted sign or one column sign and a wall sign or awning sign, except where the business is located in a building with multiple tenants. Businesses opting to use the wall sign or awning sign may also have a projecting sign. Each business may also have a window sign.
- (h) Ground-mounted or Column Signs are limited to one sign per lot, except where a unified development consists of more than one business. Unified development or commercial complexes are limited to one sign per development / commercial center.
- (i) Where unified development has frontage on more than one street, with building entrances on each street, one sign will be allowed per street frontage. A ground-mounted or column sign shall be placed no closer to a street curb or edge

of pavement than 10 feet or 50% of the building setback whichever is less; provided that, in any event, the sign shall not be placed within the public right-of-way or obstruct a sidewalk or public walkway. The height of the ground-mounted or column sign from ground level to the highest point shall not extend above the ridge line of the building or development for which the sign represents and no higher than *twenty-five (25) feet*.

- (j) Wall Signs are limited to one sign per business. However, where the business has frontage on more than one street, with building entrances on each street, one such sign will be allowed per street frontage. Wall sign area shall be limited to one square foot of sign area per linear foot of the tenant's contiguous exterior wall. The size of any wall sign shall not exceed sixty (60) square feet.
- (k) Other than a free standing sign, no sign shall extend above the parapet or eave line of a building. Such sign shall not extend more than six (6) inches beyond any building.
- (l) Awning Sign are limited to one sign per business. Where the business has frontage on more than one street, with building entrances on each street, one such sign will be allowed per street frontage. The name and the logo, trademark, or service mark of the business or establishment may be displayed on the drop flap of the awning, and the letters shall not exceed nine inches in height. No portion of the sign message may be displayed on the "main sheet" of the awning. The framing for the awning must be at least eight feet above the ground or sidewalk and the skirt on the bottom of the awning must be at least seven feet above the ground or sidewalk.
- (m) A window sign, consisting of individual letters applied directly to the inside surface of the window glass, shall be allowed. The sign must be in proportion to the window size. Window signs shall not exceed 12 square feet or fill up more than 20% of the window area, whichever is less. Maximum letter height will be eight inches.

- (n) Temporary window signs are permitted for the purpose of advertising a special sale, or special promotion. Such a sign may be attached to the interior of a building window. The sign may not cover more than 25% of the window in which it is placed. The sign must be removed within fourteen (14) days after placement.
- (o) A Projecting Sign is limited to one sign per business. Where the business has frontage on more than one street, with building entrances on each street, one sign will be allowed per street frontage. The sign area shall be limited to four (4) square feet per side. The sign may not project more than four (4) feet from the building. No portion of the sign shall extend more than ten (10) feet above the ground level or extend above the parapet or eave line. Projecting signs shall be attached to the building through the use of a decorative bracket.
- (p) Multiple Occupancy Buildings, Shopping or Commercial Center Signs must meet the following requirements:
 - (1) Where a lot or unified development contains a building with multiple tenants or shopping center, a maximum of one ground sign or column sign may be permitted at each principal point of access to the development from a collector street (limited to one such sign per collector street).
 - (2) Such sign(s) may identify the building, shopping center, or commercial project name; the names of the tenants; or combination thereof.
 - (3) Any multiple occupancy ground sign or column sign shall meet the maximum height restriction not to exceed the ridge line of the building or a maximum of *twenty-five (25) feet* in height with a maximum surface space not to exceed *thirty five (35) feet square feet*.
 - (4) Allowable signage for each tenant having a private entrance shall be governed by the standards in this section.

- (5) A master sign plan for each multiple tenant or shopping complex, multiple commercial building or center ("complex") and/or covenants and restrictions or other declaration shall be filed by the owner/developer upon the public record and shall stipulate the types of signage, the location of signs, the sign material, the size of signs, sign shape, letter style and colors in conformity with the requirements of this Ordinance. In lieu thereof, any rental agreement of the complex may state in bold letter that the "Renter/Occupant shall comply with the Sign Ordinance of the City of Hiawassee as it now exists or may be hereafter amended" and shall provide the Renter/Occupant with a copy of this Ordinance with such agreement..
- (6) Each tenant's individual signage shall comply with the architectural master sign plan if such exists.
- (7) No separate or additional ground sign or column sign shall be allowed to the occupant/tenants of a multiple tenant, shopping or commercial complex. Each complex having a canopy shall be permitted to have coordinated identification signs located under the canopy. These signs shall have a maximum sign area of four square feet.

Section 8. Violations: Criminal Penalty and Fine.

Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor, and shall be punished by the following fines:

1st Offense - \$100.00;

2nd Offense - \$250.00; and

Subsequent offenses - \$500.00.

Section 9. Violations: Civil Penalty.

In addition to a Criminal Penalty or in Lieu thereof, any person who erects a sign that requires a permit and is installed or displayed before a sign permit is issued may be subject to the following civil penalties:

- (a) The permit fee shall be doubled for all signs installed or displayed before a permit is issued. The owner of the sign that is in violation of this section shall have five business days to obtain an approved sign permit.
- (b) Any sign or signs without proper permits which continues to be displayed after five working days from receipt of written notification from the City shall subject the owner to a civil penalty of \$100.00 per day for each day that the offense continues, plus court costs and attorney fees, to enforce or collect this penalty.

Section 10. Permit Required.

Except as otherwise excepted by the provisions of this Ordinance, it shall be unlawful for any person to erect, construct, enlarge, move, replace or convert any sign without first obtaining a permit from the Mayor, the City Manager, the City Clerk or any employee designated by the Mayor to issues such permits; 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 11. Permit Application.

Applications for permits to erect, construct, enlarge, move or convert signs shall be made to the Mayor, the City Manager, the City Clerk or any employee designated by the Mayor to issue such permits upon forms furnished by the City. The application for

permits shall include but not limited to, ownership, owner's address and telephone number; sign location, drawings showing location of sign on property, structural details and other information necessary to ensure compliance with the provisions of this ordinance and all applicable codes, if any.

A copy of approved permit application must be displayed on the premises and kept on file on premises of applicant for so long as the sign is displayed and shall be made available for review upon request of authorized city personal.

Section 12. Permit Fees.

No permit shall be issued until the appropriate application has been filed and fees have been paid as established by the City Council from time to time. The permit fee shall be set at *One Hundred Dollars (\$100.00)* per sign application. Notwithstanding the above, there shall be no permit fee required for any sign identifying public service, religious or civic club organizations, and the activities they conduct or participate in. Said non-profit organizations shall be required to be in good standing the Secretary of State and shall be required to complete the permit application required herein.

A fee of Ten Dollars (\$10.00) shall be required for an approved Banner Sign.

Section 13. Exceptions.

The following signs are exempt from regulation:

- (a) Signs designed, erected or maintained, or required by or for a public purpose by a public agency or authority are exempt from this ordinance. Holiday lights and decorations, not to exceed sixty (60) days of display in any one calendar year are exempt from this ordinance; and
- (b) Roadway signs on private roads not to exceed the dimensions of the public street signs utilized by the City, the specification of which shall be made available to the public by the city clerk.

Section 14. Nonconforming signs

Any sign erected or existing prior to September 1, 1997, and not having met the requirements of this ordinance or succeeding sign ordinances and/or amendments thereto shall be deemed to be a nonconforming sign. A nonconforming sign may be maintained only by painting or refinishing the surface of the sign face or sign structure to keep up the appearance of the sign. A nonconforming sign shall not be removed and replaced, or relocated on the property without a permit being obtained and the requirements of this ordinance applying.

Section 15. Illegal signs; Annexation & Amortization Schedule.

Any sign(s) erected after the effective date of this ordinance which does not have a valid permit is deemed to be an illegal sign and such person or persons responsible for such sign(s) shall be subject to the Criminal and Civil provisions of this article.

Signs located on any property annexed into the city after the effective date of this article shall be deemed to be nonconforming signs and be subject to the following Amortization Schedule for compliance. All nonconforming signs located on annexed property shall be brought into compliance within the Amortization period beginning as of the date of Annexation as declared by resolution or minutes of the City Council.

Column Signs	-	3 Years
Ground Mounted Signs	-	3 Years
Wall and Awning Sigs	-	3 Years

Section 16. Variances.

Recognizing that the strict application of the requirement of this article may work an undue hardship on certain applicants, variance from the strict application of the provisions of this article may be granted by the City Council. Each application for a variance under this ordinance shall be in writing and shall state the reason for the request for a variance.

Section 17. Appeals.

Any person aggrieved, sign owner or applicant who alleges that the Mayor, the City Manager, the City Clerk or any representative or agent of the city acted erroneously in enforcing this article may appeal the decision of and action to the City Council. Such appeal, including any appeal fee established by the City Council, shall be filed within thirty (30) days of the receipt of an official notice form the City or its employees to the person aggrieved, sign owner or applicant or of the action which is complained.

The appeal shall be heard at a Special Meeting of the City Council held following ten days (10) of the receipt of the appeal or at the next regularly scheduled meeting of the City Council.

Section 17. Enforcement.

All law enforcement officers of the city, the Mayor, the City Manager, the City Clerk and any employee designated by the City Council are hereby empowered to remove or cause to be removed, without notice to the owner of the sign, or to a political candidate, or an affected property owner, any sign erected within the City which does not conform to the requirements of this Ordinance.

Effective upon adoptions, all law enforcement officers of the city, the Mayor, the City Manager and the City Clerk shall have the authority to issue a sign violation notice and shall be empowered to enter upon the premises of any person or property subject to this article for the purpose of enforcing the provisions contained herein.

Section 18. Discontinuance of Use

Whenever the use of a building or premises is discontinued by a business for reasons other than a normal seasonal shutdown for a period of thirty (30) days, any signs pertaining to that business shall be removed within thirty (30) days of the discontinuance of use. The Mayor or City Manager shall notify the owner of the business and/or the property owner of the violation of this ordinance at the last known address of the owner of the business or the property owners

that said signs are in violation of the Ordinance and must be removed by a time certain or by the City at the business or property owner's expense.

Section 19 Policy Regarding Special Event Signs Located on City Property.

Recognizing the benefits to the community derived from the activity of and events sponsored by non-profit and charitable organizations, free speech and political activities, the following Policy is hereby established for Signs placed on property owned by or controlled by the City of Hiawassee.

- 1) Signs or Advertisements may be placed on the City Property upon application to and approval by the Mayor and/or City Manager;
- 2) All Signs or Advertisements shall meet the requirements of the City of Hiawassee Sign Ordinance in effect at the time of application;
- 3) All Signs or Advertisements shall relate to an event taking place on City Property which has been previously approved;
- 4) No Sign or Advertisement shall be placed on city property prior to one week before the event or activity;
- 5) All Signs and Advertisement shall be immediately removed following the event or activity; and
- 6) City Employees shall collect any signs not removed after an event on the next business day following the event;
- 7) Any signs or advertisements collected by City Employees shall be held for up to one (1) week and thereafter may be destroyed or disposed of;
- 8) Any person, group or entity not acting in accordance with this policy except for good cause shown shall be denied use of city property for the holding of any future event; and
- 9) Any person, group or entity denied use of city property may appeal directly to the City Council by filing written notice within ten (10) days of notice of denial.

Section 20. Effective Date, Validity and Liability

This ordinance shall become effective on the 1st. day of January 2008.

If any section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decision shall not affect the remaining portions of this ordinance. Neither the approval of a permit or license under the provisions of this ordinance, nor the compliance with the provisions of this ordinance shall relive any person from the responsibility for the damage to any person or property otherwise imposed by law or impose any liability upon the City, Issuing Authority for damage to any person or property.

SO ORDAINED: FIRST READING, THIS 6TH. DAY OF NOVEMBER 2007:

HUGH HOODENPYLE, COUNCILMAN

HOWARD CUNNINGHAM, COUNCILMAN

ANNIE JOHNSON, COUNCILMAN

BILL MANEY, COUNCILMAN

JAY CHASTAIN, JR., COUNCILMAN

First Reading Certified by:

Wylene White, City Clerk

(CITY SEAL)

SECOND READING AND ADOPTION:

This 4TH. Day of DECEMBER 2007.

HUGH HOODENPYLE, COUNCILMAN

HOWARD CUNNINGHAM, COUNCILMAN

ANNIE JOHNSON, COUNCILMAN

BILL MANEY, COUNCILMAN

JAY CHASTAIN, JR., COUNCILMAN

Second Reading and Adoption Certified by:

Wylene White, City Clerk

(CITY SEAL)