

DECATUR COUNTY SIGN REGULATIONS

Adopted June 1, 1996

**Prepared by:
Decatur County Planning Commission with assistance from
Southwest Georgia Regional Development Center**

APPLICATION FOR SIGN/BILLBOARD PERMIT

No sign, except those listed in Section IV shall be erected, hung, placed or structurally altered without a permit from the Building Official.

Filing Procedure: Each application shall be accompanied by

- (1) Plans showing the location of the proposed sign, area of the sign, size, and wording of sign, color scheme, and any lighting. With any off-site billboard sign, the applicant shall submit a construction plan approved by an architect or engineer licensed in Georgia.
- (2) Plot plan showing vertical distance between such sign, distance from street right-of-way line. Any surrounding billboards or buildings.
- (3) Written consent from property owner.
- (4) DOT approval on any billboards erected on state roads.
- (5) A Georgia State licensed electrician to do any electrical work.
- (6) Additional information: Applicant shall, upon the request of the Building Official, submit any additional information deemed necessary.
- (7) If all information is submitted, the Building Official shall issue a permit within five working days of submittal of a complete permit application. A permit for a permanent sign shall expire and become null and void if construction of the sign has not begun within a period of three months from the date of issuance, and completed with six months from the date of issuance.
- (8) Once permit is issued, permit number along with company name must be posted on sign.

**RESOLUTION
TO AMEND THE
DECATUR COUNTY SIGN ORDINANCE**

WHEREAS, the Decatur County Board of Commissioners recognize the need to allow off-premise signs on county roads, and

WHEREAS, there is a need to reduce the distance originally required from the right-of-way so as to make certain sign placements more practical, and

WHEREAS, there is a need to clarify the process for making variance applications,

THEREFORE, BE IT RESOLVED that the Decatur County Board of Commissioners amend the Decatur County Sign Ordinance as is attached in full, and

THEREFORE, BE IT RESOLVED that the amendments include the following changes as outlined in Section one through six:

Section One: Amend Section III. Definitions- Off Premise Signs by adding the statement

General Off-premise Sign - not to exceed forty (40) square feet.

Section Two. Amend Section IV. General Provision Item (f) to read as follows:

Setbacks- Except as otherwise specifically provided, no sign shall be erected closer than ten (10) feet to any front, side or rear property line.

Section Three. Section VI. Standards for Portable Signs Item (5) Be set back a minimum of ten (10) feet from any right-of-way line space permitting:

Section Four. Section VII Sign Standards for Off Site/Premise Advertising Signs (Item) 2. General Off Premise Signs- Shall be no larger than forty (40) square feet in size and shall be allowed on County Roads within the unincorporated Decatur County. General off premise signs are required to meet the requirements of Section VII 1, Items b, c, d, f, g, h-m.

Section 5. Section XI Variances and Appeals Item (b) Requests for variances of the sign regulations and all appeals from decisions of the Building Official must be made in writing. Publication of a public notice no less than five days before a public hearing to address the variance request will be required.

Section 6. Effective date of this amendment resolution is _____, 1997, the day of adoption.

Chairman, Decatur County Board of Commissioners

DECATUR COUNTY SIGN ORDINANCE

Table of Contents

I.	Intent, Purpose, and Jurisdiction	1
II.	Applicability of Code Requirements.....	1
III.	Definitions.....	1
IV.	General Provisions	
	A. Permits	5
	B. Permit Fees	5
	C. Traffic Safety.....	5
	D. Illumination Not to be a Nuisance	5
	E. Location Prohibited	5
	F. Setbacks	5
	G. Obstruction of Vision	5
	H. Ingress and Egress.....	5
	I. Building Codes	5
	J. Signs Not Requiring a Permit	5
	K. Maximum Area Signs	6
	L. Signs Not Allowed in Public Right-of-Way	6
V.	General Standards for Point of Business Signs, Incidental Use Sign, Bulletin Boards and Identifications Signs.....	7
VI.	Standards for Portable Signs.....	7
VII.	Sign Standards for Billboards (Off Site/Premise Advertising Sign)..	7
VIII.	Issuance of Permits and Administrative Procedure.....	9
IX.	Sign Removal Alteration.....	9
X.	Nonconforming Signs	10
XI.	Variances and Appeals	10

XII.	Penalties for Violation.....	11
XIII.	Remedies	11
XIV.	Severability.....	11
XV.	Effective Date	11

DECATUR COUNTY SIGN ORDINANCE

Section I. Intent, Purpose and Jurisdiction

The purpose of this section is to establish a set of standards for the fabrication, erection and use of signs, symbols, marking or advertising devices within the unincorporated areas of Decatur County. These standards are designed to protect and promote the health, safety and general welfare of persons within the County and to aid and assist in the promotion of business and industry while avoiding an environment that encourages blight. The purpose is to permit signs that will not by reason of size, location, placement, construction or manner of display, endanger the public safety of individuals, confuse, mislead or obstruct the vision necessary for traffic safety and welfare of the community; and to permit and regulate signs in such a way as to protect the significant natural visual assets of the community, create to protect the aesthetic features of the rural landscape from uncluttered commercial and agricultural corridors and to otherwise support and complement the land use objectives set forth in the Decatur County Comprehensive Plan. The regulations set forth below shall apply to and govern the maintenance of existing and the erection of future signs in unincorporated Decatur County.

Section II. Applicability of Other Code Requirements

1. All signs and other advertising structures shall be constructed and/or maintained in strict conformity with the building and electrical codes adopted by Decatur County.
2. If any provisions or requirements of this ordinance are found to be in conflict with any other provision or requirement of this ordinance or any other applicable governmental law, ordinance resolution, rule, or other governmental regulation of any kind, the more restrictive rule or standard shall take precedence.

Section III. Definitions

Abandoned Sign - A sign and /or sign structure which no longer correctly directs or exhorts any person, or advertises a bona fide business, lessor, owner, product, service, or activity. Any on-site sign that is located on property which becomes vacant and is unoccupied for a period of six (6) months or more and any on-site signs which pertains to a time, event or purpose which no longer applies, shall be deemed to be abandoned. Permanent on-site signs applicable to a business temporarily suspended because of a change in ownership or management shall not be deemed abandoned unless the property remains vacated for a period of twelve (12) months or more. Off-premise signs with content denoting availability of advertising space are not considered abandoned.

Advertise- To inform; to notify; to announce; or attract public attention in order to arouse desire to purchase or invest.

Advertising Device - Any structure or device, situated upon or attached to real property, which is erected or intended for the purposes of advertising.

Air and Gas Filled Device - Any sign using, either partly or wholly, forced air or other gas as a means of supporting its structure.

Animated Sign - Any sign of which all or any part thereof visibly moves or imitates movement in any fashion whatsoever; and any sign which contains uses for illumination any light(s) or lighting device(s) which change color, flash or alternate, show movement or motion, or change the appearance of said sign or any part thereof automatically.

Area of Sign (Sign Area/Copy Area) - The area within the contiguous 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 sign from the background against which it is placed.

Banner - A temporary sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentation applied to paper, plastic, or fabric of any kind excluding flags, emblems and insignia of professional, political, religious, educational, corporate organizations providing that such flags, emblems and insignia are displayed for non commercial purposes.

Beacon - Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone as the light source; also, any light with one or more beams that rotate or move.

Bench Sign - A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right of way.

Building Marker - Any sign indicating the name of a building, as contrasted to a free standing sign.

Building Official - The Director of Inspections of Decatur County, or his authorized agent.

Building Sign - Any sign attached to any part of a building, as contrasted to a freestanding sign.

Canopy - Any permanent roof-like structure, including awnings and marquees, projecting beyond a building or extending along and projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.

Canopy Sign - Any sign attached to, or made a part of the front, side or top of a canopy.

Construction Sign - An on premise sign announcing the proposed or existing construction of a building project.

Directional Sign - An unofficial or non-standard traffic control sign, containing no commercial message except logos, intended to direct or regulate the movement of traffic and/or pedestrians. This includes but is not limited to "enter", "exit", "drive through", and directional arrow signs. These signs may be free standing or mounted on a building.

Erect - To build, construct, attach, hang, place, suspend, paint or affix.

Flag - Any fabric, banner or bunting containing distinctive colors, patterns or symbols used as a symbol of government, political subdivision or other entity.

Freestanding Sign - Any sign which is independent from any building or other structure and is entirely supported by structures that are permanently placed on or in the ground.

Ground Sign - A freestanding sign which has no free space between the ground surface and the signage copy area.

Home Occupation Sign - A wall sign for a home occupation on residential premises containing no commercial message except advertising for services offered on the premises.

Identification Sign - A sign depicting the name of a building and/or the address of an establishment on the premises where the sign is located. The name and/or address may be included as part of another signage type.

Illuminated Sign - A sign which contains an internal source of light or which is designated or arranged to reflect light from an artificial source.

Incidental Sign - A general information sign that has a purpose secondary to the use of the parcel on which it is located. This includes but is not limited to credit cards accepted, official notice of services as required by law, trade affiliations, business hours, "telephone", "self service", etc. These signs are typically located on doors, windows or building walls. No signs with a commercial message legible from a position off the parcel on which the sign is located shall be considered incidental.

Mansard Sign - Any sign attached to or erected within twelve (12) inches of an actual or simulated mansard of a building, with the sign face parallel to the building surface. Since the sign is to be mounted parallel to and within the limits of the building, it is not deemed to be a roof sign.

Nonconforming Sign (legal) - Any advertising sign or device, including sign structures which was lawfully erected and maintained prior to the adoption or amendment of this ordinance and which fails to conform to all applicable regulations or restriction of this ordinance.

Off-premise Sign - A sign that advertises goods, services facilities or directs persons to premises other than the premises on which the sign is located. This includes but is not limited to billboards, off-premise directional signs and signs which generally advertise consumer goods and services (i.e. brands of cigarettes and beverages).

Painted Wall Sign - Any sign which is applied with paint or similar substance on the face of a wall.

Pennant - Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a pole, rope, wire, string, often in a series designed to blow in the wind.

Permanent Sign - Any sign permanently affixed to a building or to the ground.

Political Sign - A temporary sign identifying and urging voter support for or in opposition to a particular issue, political party, or candidate for public office.

Portable Sign - A sign supported by its own frame or trailer, with or without wheels, which is designed to be transported from one place to another. This does not include typical sandwich or A-frame signs.

Premises - An area of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Principal Building - The building in which is conducted the principal use of the parcel on which it is located. Parcels with multiple principal uses may have multiple principal buildings. However, storage buildings, garages and other clearly accessory use shall not be considered principal buildings.

Projecting Sign - Any sign affixed to a building or wall which horizontally extends No more than twelve inches beyond the surface of such building or wall.

Public Service Sign - A sign designed to render a public service such as but not limited to "time and temperature" signs and "flashing news signs".

Real Estate Sign - 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.

Roof Sign - Any sign erected, constructed and maintained wholly upon or over the roof of any building and projecting above the roof line.

Sidewalk, Sandwich or A-Frame Sign - A sign which is normally in the shape of an "A" or some variation thereof and which is usually two-sided. This includes a sign mounted on an easel.

Sign - Any identification, description, illustration, or device, illuminated or non-illuminated, which is visible to the general public and directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, flag, banner, pennant, balloon or placard designed to advertise, identify or convey information.

Sign Face - The portion of a sign on which the copy is placed.

Snipe Sign - A sign of any material whatsoever that is attached in any way to a utility pole, tree, fence, rock, or any other similar object located on public or private property. Snipe signs shall not include "keep out", "posted" or "no trespassing" signs.

Subdivision Sign - Any sign only designed to identify a subdivision, neighborhood or residential complex.

Traffic Control Sign - A standard sign or electronic device such as a traffic signal) for the purpose of directing or regulating traffic or pedestrians.

Under Canopy Sign - A sign that is suspended from the underside of a canopy (including awnings and marquees) which is perpendicular to the wall surface of a building and whose copy (advertising text, graphics) is not clearly visible from a public right-of-way.

Unlawful Sign - Any sign erected without a permit when a permit for the sign was otherwise required by this ordinance or a previously adopted ordinance or code; or a permitted sign which has not been properly erected in accordance with its permit application and approved sign permit; or an otherwise lawful and permitted sign which has become hazardous or a nuisance to the public due to poor maintenance, dilapidation or abandonment and so declared by the Building Official.

Wall Face - A measurement of area equal to the height of the structure from the ground to the coping or eave of the roof multiplied by the width of the wall associated with the individual business. The wall face is to be measured for each wall independently.

Wall Sign - Any sign affixed or attached to a wall of a building, extending no more than twelve inches beyond the wall and which displays only one sign surface.

Window Sign - Any sign, excluding identification and incidental signs, placed inside or upon a window, containing a commercial message and intended to be seen from the exterior.

Section IV. General Provisions

- a. **Permits** - A permit shall be required for the erection, alteration or reconstruction of any sign unless otherwise noted and shall be issued by the Office of the Building Official in accordance with these regulations. The number of the sign permit shall be painted or otherwise affixed on the face of each sign requiring a permit. The permit number shall be of letters not less than one half inch or more than three inches in height and shall be easily visible to the Building Inspector.
- b. **Permit Fees** - A fee as established by the Decatur County Board of Commissioners shall be charged for a permit for each new sign structure, sign structure addition or modification or structural change to an existing sign.
- c. **Traffic Safety** - No sign shall be erected or continued that obstructs the sight distance along a public right-of-way, would by its location, color or nature, tend to be confused with or obstruct the view of traffic signals or signs or to be confused with a flashing light of an emergency vehicle, would by its nature or moving parts tend to confuse motorists or create any potential hazard to motorists or use admonitions such as "stop", "go", "slow", "danger", etc. which might be confused with traffic directional signals.
- d. **Illumination Not to be a Nuisance** - Illumination devices such as, but not limited to, flood or spot lights shall be so placed and so shielded as to prevent the rays or illumination from being cast into neighboring dwellings and/or approaching vehicles.
- e. **Locations Prohibited** - No sign shall be attached or painted on any telephone pole, light pole, telegraph pole, roof or any rock or other natural object. No signs other than those erected by public governmental agencies or signs required by law, shall be placed so as to overhang any public right-of-ways or other public properties by more than six inches.
- f. **Setbacks** - Except as otherwise specifically provided, no sign shall be erected closer than fifteen (15) feet to any front, side or rear property line.
- g. **Obstruction of Vision** - No sign or other obstruction of vision between heights of two and one-half feet (2.5') and ten (10) feet except utility poles and sign supports not exceeding a twelve inch (12") minimum dimension shall be permitted within twenty-five (25) feet of the intersection of the right-of-way lines of two streets, or of a street intersection with a railroad right-of-way line and ten feet (10") of commercial driveways.
- h. **Ingress and Egress** - No advertising structure shall be erected, constructed, or maintained so as to obstruct any fire escape, window or door or other opening used as ingress or egress for fire fighting purposes, or so as to prevent free passage from one part of a roof to any other part thereof; no roof sign shall be installed within five (5) feet of a parapet wall; no sign shall be attached in any form, shape or manner to a fire escape or be so placed as to interfere with any opening required for legal ventilation.
- i. **Building Codes** - Construction and erection of signs shall be in accordance with the building codes of Decatur County.
- j. **Signs Not Requiring a Permit** - No permit shall be required for the following:
 - 1. Signs that regulate traffic
 - 2. Signs required to be posted by law.
 - 3. Warning signs and no trespassing signs

4. Signs established by governmental agencies.
5. Signs indicating bus stops and similar transportation facilities, bench signs.
6. Signs not exceeding ten (10) square feet in area giving information concerning the location or use of accessory off street parking facilities or loading and unloading facilities.
7. Temporary real estate signs on residentially developed property shall be limited to a maximum of ten (10) square feet and temporary real estate signs on other property shall be a maximum of thirty-two (32) square feet.
8. Any sign not exceeding ten (10) square feet in area other than advertising or separate use signs.
9. Temporary signs on private land or religious, charitable, civic, fraternal, political or similar organizations not to exceed sixty (60) days use.
10. Construction signs and temporary subdivision signs not to exceed a maximum of fifty (50) square feet.
11. One professional name plate for each premise. Each professional name plate shall not exceed six (6) square feet in area.
12. One occupational sign for each premises, denoting only the name, street, number and business of an occupant in a commercial building, not to exceed six (6) square feet in area.
13. Legal notices and official instruments.
14. Political signs provided such signs shall not exceed twelve (12) square feet in area and that they must be removed within thirty (30) days of the election.
15. Window signs which identify or advertise activities, services, goods or products available within the building and which collectively cover no more than twenty-five (25) percent of the window glass surface area.
16. Signs incorporated on machinery or equipment at the manufacturer's or distributor's level, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks and gasoline pumps.
17. Miscellaneous Temporary Signs. Although the use of pennants, flags, banners, whirlers or similar devices are generally prohibited for commercial or industrial use, they shall be allowed in conjunction with the opening of a new place of business, provided that such devices shall not be installed nor shall remain more than fourteen (14) days prior to or after opening date.
18. All on site point of business signs excluding portable signs.

k. **Maximum Area of Signs** - The maximum area of a point of business sign, an incidental use sign, a bulletin board sign or an identification sign shall be one hundred fifty (150) square feet. All signs except identification signs and non-permitted signs as identified in Section IV

shall be no larger than twelve (12) square feet in area and shall not be illuminated directly or indirectly.

- L. Signs Not Allowed in the Public Right-of-Way** - No signs, gates or other structures are allowed to be placed in the public right-of-way including subdivision signs and advertisements.

Section V. General Standards for Point of Business Signs, Incidental Use Signs, Bulletin Boards and Identification Signs

1. Do not utilize colors such as red, green, blue and yellow in any way which might be confused with traffic, safety or emergency signals. This provision must be complied with within ninety (90) days from the effective date of this Ordinance.
2. No revolving or rotating beam or beacon 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 which indicate customary public information, such as time, date, temperature or other similar information shall be permitted. Within ninety (90) days from the effective date of this Ordinance this provision must be complied with.
3. External lighting, such as floodlights, thin line and goose neck reflectors are permitted, provided the light source is directed on the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the thoroughfare. Within ninety (90) days from the effective date of this Ordinance this provision must be complied with.
4. The illumination of any sign within one hundred (100) feet of an inhabited residential lot line shall be diffused or indirect in design to prevent direct rays of light from shining into affected dwellings. Within ninety (90) days from the effective date of this Ordinance this provision must be complied with.
5. Owners of signs shall be responsible for meeting State and local building codes as to placement and/or height.
6. Shall have a maximum height of forty (40) feet.

Section VI. Standards for Portable Signs

A portable sign is a sign whether on its own trailer, wheels or otherwise was designed and manufactured so that it can be transported from one place to another. A permit may be granted for the use of one (1) portable sign on the premises of a business or institution provided that the portable sign shall:

1. Be allowed for no more than sixty (60) days in any given six month period except for seasonal use as required for farms offering U-Pick offerings.
2. Not exceed forty (40) square feet in sign surface area;
3. Not utilize flashing illumination which can be confused with traffic signals;
4. Not utilize colors such as red, yellow and green which may be confused with traffic signals;

5. Be set back a minimum of fifteen (15) feet from a right-of-way line space permitting;
6. Not be allowed in platted residential subdivision;
7. Portable signs shall be used for on-site advertising only, except for farmers use in a U-Pick season;
8. Portable signs shall be secured to the ground.
9. Non-conforming portable signs shall be removed or made to conform to this ordinance within one (1) year from the effective date of this ordinance, any animated component or colored lights (see 3 and 4) of any portable sign shall be turned off. Within thirty (30) days from the effective date of this ordinance the fifteen (fifteen) foot setback shall be required.

Section VII. Sign Standards for Billboards (Off Site/Premise Advertising Signs)

1. Billboard Sign Requirements.

- a. Sign surface area: Maximum four (400) hundred square foot per face.
- b. Maximum number of signs: one sign per structure which may be single or double faced.
- c. Maximum Height: Forty (40) feet
- d. Minimum Setback: Twenty (20) feet from the nearest right-of-way line; and thirty-five (35) feet from the right-of-way line intersection point measured at any angle.
- e. Minimum Spacing: Five thousand (5,000) feet on the same side of the road from another off-site sign (billboard).
- f. Off-site advertising signs shall not be established at any location having principal frontage on any street within five hundred (500) feet of any church, school, cemetery, public park, railroad intersection or residential structure.
- g. Billboards shall only be permitted on designated federal and state highways (U.S. 27, 84, 278, GA 1, 38, 97, 241, 253, 262,302,310, 311). All billboard structures erected or abutting or so as to be visible from the right of way of the aforementioned federal or state highways shall conform with the O.C.G.A. Section 32-6-7 et seq .(Georgia Outdoor Advertising Code) and shall meet all federal and state requirements necessary to obtain a permit from the Georgia Department of Transportation under said code. In instances where the sign controls of this Ordinance are more strict, this ordinance shall apply.
- h. No flashing advertising sign shall be permitted and all billboard structures where lighted shall be indirectly illuminated.
- i. Extrusions prohibited: Extrusions beyond the face of the sign, excluding aprons are prohibited.
- j. Only one sign shall be allowed to face the same direction per location. This allows back to back or "V" formation, but prohibits two signs (side-by-side) facing the same location.
- k. No sign shall be placed in or obstruct the view of an area of historic interest.

1. On a non-limited access route, off street advertising signs shall not be within six hundred (600) feet of a developed or on-going commercial or industrial establishment.
- m. Structural elements of off-premise signs which contain no copy (advertising text, graphics), including rear sides of billboards shall be uniform in color.

3. Priority of Signs.

Where the location of two or more off-site advertising signs conflicts under the requirements of this ordinance, the sign meeting the requirements of this ordinance, and having the earliest dated permit for its erection shall have priority over other signs in conflict herewith.

4. Landscaping for Off-site Signs.

All off-site signs shall be landscaped or installed on wood, stone or other base structure. All base treatments shall be landscaped with low maintenance plants or constructed of stone, masonry or wood treated against water damage and insect assault.

Section VIII. Issuance of Permits and Administrative Procedure

1. Issuance of Permits: No sign, except those listed in Section IV shall be erected, hung, placed or structurally altered without a permit from the Building Official.
2. Filing Procedure: Application for permits to erect, hang or place a sign shall be submitted on forms obtainable from the Building Official. Each application shall be accompanied by plans showing the location by street address of the proposed sign, area of the sign, size and character and the method of illumination, if any, the exact location proposed for such sign and in the case of a projecting sign, the proposed method of fastening said sign to the building structure, the vertical distance between such sign and the finished grade and the horizontal distance between such sign and the street right-of-way line. In the case of an off-site billboard sign, the applicant shall submit a construction plan approved by an architect or engineer licensed in Georgia. For off-site signs (billboards) such applicant shall obtain and attach to his application the written consent of the property owner for the erection of such sign.
3. Issuance/Duration. If all items are in order the Building Official shall issue a permit within five (5) days of submittal of a complete permit application. In the case of denial, notification shall be within five days of application. A permit for a permanent sign shall expire and become null and void if construction of the sign has not begun within a period of three (3) months from the date of issuance, and completed within six months from the date of issuance.
4. Fees. The applicant shall pay a permit fee appropriately established by the Board of Commissioners.
5. Additional Information: Each applicant shall, upon the request of the Building Official submit any additional information deemed necessary.

Section IX. Sign Removal Alteration and Maintenance

1. Any on-site sign that is located on a property which becomes vacant and is unoccupied for a period of six (6) months or more, or any on-site sign which pertains to a time, event or purpose which no longer applies, shall be deemed to be abandoned. Permanent on-site signs applicable to a business

temporarily suspended because of a change in ownership or management shall not be deemed abandoned unless the property remains vacated for a period of twelve (12) months or more. An abandoned on-site sign is prohibited and shall be taken down and removed by the owner, agency or persons having beneficial use of the building, structure, or land upon which such use is found within thirty (30) days after written notice by the Building Official. If after thirty (30) days the sign has not been removed, the County Building Official may remove the sign at the expense of the owner.

2. All signs for which a permit is required, including their supports, braces, guys, and anchors shall be kept in good condition. Illuminated devices shall be maintained in good working order.
3. If the Building Official finds any sign regulated under this Ordinance to be unsafe or unsecured, he or she shall give written notice of such findings to the owner, agent or lessee thereof. If the owner, agent or lessee fails to remove or alter the sign so as to comply with the standards herein after thirty (30) days notice, such sign or other advertising structure may be removed or altered to comply by the Building Official at the expense of the owner, agent, or lessee and such expense shall constitute a lien against the property.
4. The Building Official may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed immediately.

Section X. Nonconforming Signs

1. Non-conforming on-site signs shall be made to conform to this Ordinance within sixty (60) days from the effective date of this Ordinance.
2. Non-conforming off-premise (billboards) signs shall be removed or made to conform within one (1) year of the effective date of this Ordinance.
3. Portable signs shall be removed or made to conform to this Ordinance within twelve (12) months from the effective date of this Ordinance. Within thirty (30) days of the effective date of this Ordinance any animated component on a portable sign shall be cut off.
4. Any non-conforming permanent on-site sign which is destroyed or damaged over fifty (50) percent or more of its replacement value shall not be repaired or re-built.
5. The Building Official shall give written notice not less than six (6) months prior to the expiration period of the nonconformity, that the sign shall be made to conform.
6. Upon failure to comply within the specified time period, the Building Official is authorized to cause removal of such sign and any expense incident thereto shall be paid by the sign owner, agent, lessee of said sign and such expense shall constitute a lien upon the property.

Section XI. Variances and Appeals

a. Application of the sign regulations may be;

(1.) Varied by the Decatur County Planning Commission, where such variance will not be contrary to the public interest and, where due to conditions peculiar to the property and not the result of the actions of the property owner,

(2.) Varied where a literal enforcement of the code involved would result in unnecessary or unique hardship.

(3.) Appealed to the Decatur County Planning Commission regarding any decision of the Building Official with respect to (1) the failure to issue a permit pursuant to the provisions of Section VIII; (2) any sign removal, alteration and maintenance required pursuant to the provisions of section IX; and (3) requirements to bring into conformity nonconforming signs pursuant to the provisions of Section X.

b. Requests for variances of the sign regulations and all appeals from decisions of the Building Official must be made in writing and the publication of a public notice as required by the terms of this resolution.

c. Decisions of the Planning Commission on signage variances and decisions of the Building Official may be appealed to the Decatur County Board of Commissioners.

Section XII. Penalties for Violation

Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction shall be punished by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment not exceeding one (1) year, or both such fine and imprisonment as the facts of the case may justify. Each such violation committed, or permitted to continue, shall constitute a separate offense and shall be punishable as hereunder.

Section XIII. Remedies

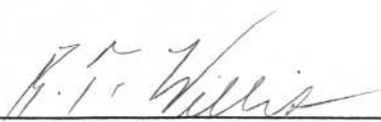
In case any sign or other device covered by this chapter is proposed to be erected, constructed, altered converted or used in violation of any provision of this Ordinance, the Building Official may, in addition to other remedies, and after due notice to the appropriate person, issued a citation for violation of the county code and all legal actions may then proceed to bring the matter to court.

Section XIV. Severability

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declarations shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically determined to be invalid or unconstitutional.

Section XV. Effective Date

This Ordinance shall become effective on the first day of June 1996.


Chairman, Decatur County Board of Commissioners