

SIGN ORDINANCE ORDINANCE NO. 13-14

THIS SIGN ORDINANCE OF THE CITY OF COCHRAN WILL BALANCE THE RIGHTS OF PERSONS TO CONVEY THEIR MESSAGES THROUGH SIGNS AND THE RIGHT OF THE PUBLIC TO BE PROTECTED AGAINST THE UNRESTRICTED PROLIFERATION OF SIGNS.

**COUNTY OF BLECKLEY
CITY OF COCHRAN**

SECTION 1. FINDINGS AND PURPOSE.

(a) It is hereby ordained by the governing authority of the City of Cochran, that the City of Cochran City Council finds that signs provide an important medium through which persons may convey a variety of noncommercial and commercial messages. However, left completely unregulated, signs can become a threat to public safety as a traffic hazard and a detriment to property values and to the city's general public welfare, as well as create an aesthetic nuisance.

(b) By enacting this ordinance, the mayor and council intend to:

- 1) Balance the rights of persons to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs;
- 2) Protect the public health, safety, and welfare of the citizens and others within the city;
- 3) Reduce traffic hazards, pedestrian hazards, and other hazards;
- 4) Promote and maintain the aesthetic qualities of the city;
- 5) Protect property values by minimizing the possible adverse effects and visual blight caused by signs;
- 6) Promote economic development;
- 7) Ensure the fair and consistent enforcement of sign regulations;

- 8) Promote the stated purposes of the City of Cochran Strategic Plan 2014 to 2016; and
- 9) Promote the stated purposes of the Bleckley County building code, as adopted and modified by the City of Cochran, which are expressly incorporated herein.

SECTION 2. AUTHORITY.

This ordinance is enacted pursuant to Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, the Charter of the City of Cochran, the general police powers of Cochran and other authority provided by federal, state or local laws applicable hereto.

SECTION 3. DEFINITIONS.

Except as specifically defined herein, all words used in this ordinance shall be as defined in the most recent edition of The Illustrated Book of Development Definitions (1993, Rutgers). Words not defined herein or in the above book shall be construed to have the meaning given by common and ordinary use, and shall be interpreted within the context of the sentence, section and article in which they occur.

- 1) Words used in the singular include the plural and words used in the plural include the singular.
- 2) Words used in the present tense include the future tense.
- 3) The word "erected" includes the words "constructed", "moved", "located" or "relocated".
- 4) The word "lot" includes the word "plot" or "parcel."
- 5) The word "map" or "zoning map" means the zoning map of City of Cochran, Georgia.

- 6) The word "person" includes the words "individuals", "firms", "partnerships", "corporations", "associations",
 - a. "Governmental bodies" and all other legal entities.
- 7) The word "shall" is always mandatory and never discretionary.
- 8) The words "used" or occupied include the words "intended, arranged or designed to be used or occupied."
- 9) For the purpose of this ordinance, certain words or terms used herein shall be defined as follows:

Aggregate sign area: The combined sign surface area of all signs on a lot, excluding the area of one face of all double-faced signs. Noncommercial flags and banners are excluded from any determination of aggregate sign area.

Building: Any structure attached to the ground which has a roof and which is designed for the shelter, housing or enclosure of persons, animals, or property of any kind.

Building space, gross: The sum of the gross horizontal areas of the several floors of a building from the exterior face of the exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor to ceiling height is less than six feet.

Double faced sign: Any sign which has two display areas against each other or where the interior angle formed by the display areas is 60 degrees or less, where one face is designed to be seen from one direction and the other face from another direction.

Ground sign height: The distance in vertical feet from the elevation of the adjacent dedicated public street, edge of pavement, to the highest point of the sign structure. For property with an elevation higher than the adjacent public street, the height shall be

measured from ground level at base of sign to the highest point of the sign structure. The ground shall not be altered for the sole purpose of providing additional sign height.

Flag: Any piece of fabric or other flexible material solely containing a distinctive design used as the symbol of a nation, as a signaling device or as a decoration.

Landscape strip: Any land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

Lot: Any designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.

Parkway: Any divided or undivided classified roadway.

Planned commercial/office/industrial development: Any contiguous area or subdivision of land, planned and maintained as a single entity and containing one or more structures to accommodate retail, service, commercial, office or industrial uses, or a combination of such uses, and appurtenant common areas and accessory uses incidental to the predominant uses. (i.e., office park, shopping center, industrial park).

Principal use: The primary or predominant purpose for which a lot is occupied and/or used.

Road frontage: The distance on which a parcel of land adjoins a public street or public road right-of-way dedicated to and accepted by the City of Cochran for vehicular traffic or over which the City of Cochran may hold a prescriptive easement for public access, and including designated and numbered U.S. and state highways.

Sign: Any object, device, display, or structure, or part thereof, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures,

design, symbols, fixtures, colors, illumination, artwork or projected images. Any sign provided for in any zoning district may contain commercial or noncommercial messages.

- a. *Sign, Animated:* Any sign, visible from the street, of which all or part thereof visibly moves or imitates movement in any fashion whatsoever; and any sign which contains or 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, excluding variable message boards.
- b. *Sign, Banner:* A piece of fabric or similar material that is attached to a pole, enclosed in a frame, or mounted as a temporary sign device.
- c. *Sign, Billboard:* See Outdoor Advertising Sign.
- d. *Sign, Canopy:* See Wall Sign.
- e. *Sign, Entrance:* Any permanent sign located at the public street or private driveway entrance to a residential development, residential subdivision development or nonresidential subdivision development.
- f. *Sign face:* The area or display surface of a sign that is used for the message.
- g. *Sign, Flashing:* See animated sign.
- h. *Sign, Ground:* Any permanently affixed sign which is wholly independent of a building for support.
- i. *Sign, Historic character mural:* Any sign that is painted on or applied to and made integral with a wall or surface of a building or structure.
- j. *Sign, Indirectly illuminated:* Any sign illuminated by an external light source directed primarily toward such sign.

- k. *Sign, Internally illuminated:* Any sign that emits light, illuminated by an internal light source.
- l. *Sign, Off-premises:* Any sign which advertises or directs attention to property for sale, lease, or rent other than on the premises on which the sign is located.
- m. *Sign, Monument:* Any permanent ground sign designed so that the base of the sign face is flush with the supporting base, and the supporting base is flush with the ground and extends the full width of the sign face.
- n. *Sign, Multi-faced:* Any sign structure with more than two sign faces situated so that each sign face is facing a different direction.
- o. *Sign, Nonconforming:* Any sign lawfully existing on the effective date of this ordinance, or amendment thereto that renders such sign nonconforming because it does not conform to all the standards and regulations of the adopted or amended ordinance.
- p. *Sign, Outdoor Advertising:* means a structural poster panel or painted sign, either free standing or attached to a building for the purpose of conveying information, knowledge, or ideas to the public about a subject unrelated to the premises upon which it is located. Also known as a billboard sign.
- q. *Sign, Oversized or Billboard sign:* See: Outdoor Advertising Sign
- r. *Sign, Pole:* A sign that is mounted on a freestanding pole or similar support such that the bottom of the sign face is at least six (6) feet above the ground.
- s. *Sign, Portable:* Any sign which is manifestly designed to be transported, including by trailer or on its own wheels, even though the wheels of such sign may be removed and the remaining chassis or support constructed

without wheels is converted to an "A" or "T" frame sign or attached temporarily or permanently to the ground.

- t. *Sign, Projecting*: Any sign projecting more than six inches from the outside wall or walls of any building upon which it is located.
- u. *Sign, Roof*: Any sign projecting over the coping of a flat roof, or wholly or partially over the ridge of a gable, hip or gambrel roof, and supported by or attached to said roof.
- v. *Sign, sidewalk or sandwich board*: Any moveable sign not secured or attached to the ground or surface upon which it is located.
- w. *Sign, Streamer*: See: Portable Sign.
- x. *Sign structure*: The poles, beams, columns, posts, foundations, or other means providing structural support for the sign surface area to which the sign is affixed.
- y. *Sign surface area*: The smallest square, rectangle, triangle, circle or combination thereof, which encompasses the entire advertising area excluding architectural trim and structural supports.
- z. *Sign, Subdivision directional*: An off-premises sign that provides directions to property for sale, lease or rent. Subdivision directional signs are placed at intersections, directing traffic to a specific project(s).
- aa. *Sign, Temporary*: A sign of a nonpermanent nature.
- bb. *Sign, trailer*: See Portable Sign.
- cc. *Sign, Variable message*: Any programmable sign that is capable of changing the position or format or other displays on the sign face or change the visible display of words, numbers, symbols and graphics by the use of a matrix of

electric lamps, movable discs, movable panels, light apertures or other methods; provided these changes are actuated by either a control mechanism or manually on the face of the sign. The display of changing information shall provide a minimum static duration of eight seconds for each display and a maximum transition time of two seconds between messages (i.e. digital and electronic reader boards).

dd. *Sign, Wall:* Any sign painted, applied to or mounted to the wall or surface of a building or structure, the display surface, which does not project more than six inches from the outside wall of such a building or structure.

ee. *Sign, Weekend directional:* An off-premises sign that provides directions to property for sale, lease or rent. Weekend directional signs may be erected from Friday 3:00 p.m. until Sunday 11:59 p.m., and direct traffic to a specific project.

ff. *Sign, Window display:* Any sign installed flush with the interior or exterior of a window and intended to be viewed from the outside.

Structure: Anything constructed or erected on the ground or attached to something on the ground.

Yard, front: An open, unoccupied space on the same lot with a principal building or use, extending the full width of the lot and located between the street line and the front line of the building projected parallel to the street to the side lines of the lot. Corner lots shall be considered to have two front yards.

Yard, rear: An open space on the same lot with a principal building or use, unoccupied except by an accessory building or use, extending the full width of the lot and

located between the rear line of the lot and the rear line of the building or use projected to the side lines of the lot.

Yard, side: An open, unoccupied space on the same lot with a principal building or use, located between the building or use and the side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

SECTION 4. GENERAL PROVISIONS.

It shall be unlawful for any person to post, display, alter the structure, or erect a sign without obtaining a sign permit from the City of Cochran. A change and/or reface in the copy of a sign or advertising device shall not constitute an alteration.

SECTION 5. SIGN PERMIT APPLICATION.

Applications for sign permits shall be submitted by the property owner or the property owner's agent upon official forms furnished by the City of Cochran. A non-refundable review fee shall be submitted with all sign applications. Applications shall be complete and review fee paid prior to acceptance for review by the City Manager or designee. Upon review by the City Manager or designee, the initial review fee will be credited towards the total sign permit fee as designated in the fee schedule, as established by the City of Cochran City Council.

SECTION 6. EXPIRATION DATE.

An issued sign permit is void if the permitted sign is not installed as approved within six months from the issued date.

SECTION 7. SIGN PERMIT FEES.

A sign location permit or temporary sign permit shall not be issued until the appropriate application has been submitted and fees have been paid in full, as established by the City of Cochran City Council.

SECTION 8. NON-CONFORMING SIGNS.

(a) The lawful use of a permanent sign existing at the time of the adoption of this ordinance may be continued in non-conformance with the requirements of this ordinance except that the nonconforming sign shall not be enlarged or rebuilt if damaged or destroyed by a willful or unintentional act(s) or damages incurred from acts of God. A nonconforming sign may be repaired to the extent necessary to maintain it in a safe condition and neat and orderly appearance in accordance with the requirements of this ordinance.

(b) No structural change in shape and size shall be permitted except to make a non-conforming sign comply with all requirements of this ordinance. Routine maintenance and changing of copy shall be permitted as long as such maintenance or changing of copy does not result in change to the shape, size, and/or dimensions that include length, width and installed height of the existing sign.

(c) A non-conforming sign structure may not be replaced by another nonconforming sign structure.

SECTION 9. SIGN AND SIGN DEVICES PROHIBITED.

The following types of signs or advertising devices are prohibited in all zoning districts, property publicly and privately owned including roadway right-of-ways, utility and railway easements located within the city limits of the City of Cochran.

- (1) Roof signs.
- (2) Streamers.
- (3) Portable signs.
- (4) Multi-faced signs.

- (5) Flashing, blinking, varying light intensity signs or animated signs, with the exception of signs used for official government purposes and variable message board signs.
- (6) Signs placed within public rights-of-way, utility and railway easements, except publicly owned, authorized or maintained signs that serve an official public purpose.
- (7) Signs erected by nailing, fastening or affixing the sign in any manner to any tree, rock, post, curb, utility pole, natural feature, official street sign or marker, traffic control sign or device, or other structure except as may be set forth herein.
- (8) Any sign placed or erected on property without the permission of the owner.
- (9) Individual or aggregate window signs exceeding 10 percent of the window area per building elevation.
- (10) Signs that contain words, pictures, or statements that are obscene, as defined by O.C.G.A. § 16-12-80.
- (11) Signs that simulate an official traffic control device, warning sign, or regulatory sign or which hide from view any traffic control device, signal or public service sign.
- (12) Signs that emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing abilities.
- (13) Signs that interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic or which otherwise pose a hazard to traffic due to structural deficiencies in the structure of such signs.
- (14) Signs which obstruct any fire escape, any means of egress or ventilation or shall prevent free passage from one part of a roof to any other part thereof, as well as signs attached to any fire escape.

- (15) Signs that do not conform to applicable building and electrical codes.
- (16) Signs for which a permit is required that do not display the sign permit number and the name and address of the person responsible for erecting and maintaining the sign.
- (17) Signs that are in violation of the rules and regulations of any zoning overlay district presently existing or as may later be enacted.
- (18) Any sign constructed of nondurable material including, but not limited to, paper, cardboard or flexible plastic that has been displayed for more than 60 days. Nothing herein shall prohibit such a sign from being replaced by an identical sign. This provision does not apply to temporary signs as governed by this ordinance.
- (19) Signs located on any substandard lot created after the enactment of this ordinance, unless the substandard lot is created as the result of governmental action.
- (20) Any sign that is structurally unsound, or is a hazard to traffic or pedestrians.
- (21) Dilapidated or neglected signs. A sign (including sign structure) will be dilapidated or neglected if it does not present a neat and orderly appearance, which may be manifested by the following: rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices.
- (22) Pole signs.

SECTION 10. TEMPORARY SIGNS.

The following types of signs or devices shall be permitted only by issuance of a temporary sign permit for a period of 21 consecutive days. In no case shall the same premises be allowed a temporary sign permit more than four times in a 12-month period. A fee, as established by the City of Cochran City Council, shall be paid for each temporary sign

permit. Upon expiration of the temporary sign permit, the permittee shall remove the temporary sign in conjunction with any associated device or structure.

- (1) Air or gas-filled devices not exceeding:
 - a. Twenty feet in height and 150 square feet of area in a nonresidential zoning district.
 - b. Four feet in height and 16 square feet of area in a residential zoning district.
- (2) Banners which display a message, logo, statement, or commercial message shall be regulated as follows:
 - a. Each banner shall not exceed 16 square feet.
 - b. Each banner must be individually attached to a pole, mast, arm, or other structure.
 - c. For any lot, banners shall be limited to one banner per public street frontage.
 - d. Banners must be maintained in good condition.
- (3) Search lights and similar devices.

SECTION 11. FLAGS.

(a) All flags shall be displayed on purpose-built, professionally fabricated flagpoles or wall brackets, which may be vertical or mast-arm flagpoles. In nonresidential districts, flagpoles shall not exceed the allowed height provided for a structure or building in the applicable zoning districts. Flagpoles in residential districts shall not exceed 25 feet in height, or the height of the primary structure on the lot, whichever is less.

(b) The maximum dimensions of any flag shall be proportional to the flagpole height. The hoist side of the flag shall not exceed 20 percent of the vertical height of the flagpole. In addition, flags are subject to the following limitations:

Pole Height	Maximum Flag Size (total square feet)
Up to 30 feet	<u>30</u> square feet
<u>30</u> to 50 feet	60 square feet
50 feet or greater	150 square feet

- (c) Each lot or parcel shall be allowed a maximum of three flagpoles.
- (d) A maximum of two flags shall be allowed per flagpole.
- (e) A vertical flagpole must be set back from all property boundaries a distance that is at least equal to the height of the flagpole.
- (f) Flags and flagpoles shall be maintained in good repair, and to the extent applicable shall be in compliance with the building code. Flagpoles with broken halyards shall not be used and flags that are torn or frayed shall not be displayed.
- (g) On officially designated city, state, or federal holidays, there shall be no maximum flag size or number or other limitations on display.
- (h) This section shall not be construed to restrict the right to display eligible flags as banners or commercial or noncommercial signage as provided elsewhere in the article.

SECTION 12. SIGNS EXEMPT FROM SPECIFIED PROVISIONS OF THIS RESOLUTION.

The following types of signs are exempt from the requirements of this ordinance unless otherwise expressly prohibited. However, all of these signs shall abide by the height and setback requirements as specified in the sign table.

- (1) Non-illuminated staked signs having a combined sign area of ten square feet or less per parcel. An individual staked sign may not exceed six square feet in size and may not exceed four feet in height above ground level. No sign shall be located within the public right-of-way and no closer than ten feet from the edge of pavement of a public roadway.
- (2) Signs for the sole purpose of displaying street numbers as may be required by other ordinances and other signs required by law.
- (3) Signs erected by, or on the order of, a public officer in the performance of his duty including but not limited to public notices, safety signs, danger signs, trespassing signs, traffic and street signs, memorial plaques and signs of historical interest.
- (4) Window signs not exceeding 10 percent of the available window space per building elevation.
- (5) One official sign per road frontage, as required by the state of Georgia, identifying vehicle emissions inspection stations licensed by the state of Georgia.
- (6) Swinging or projecting signs not exceeding three square feet in sign area, attached under the eave or awning of a building. The installed projecting sign shall provide a minimum of seven feet clearance above ground level as measured from the bottom edge of the sign to the ground.

- (7) City Property. All lots, building, structures or property owned by the City of Cochran shall be exempt from all sign ordinance requirements.

SECTION 13. MAINTENANCE AND APPEARANCE OF SIGNS.

- (a) All signs shall be maintained in good condition, so as to present a neat and orderly appearance. Neglected or dilapidated signs shall be manifested by the following: rust or holes on or in the sign or sign structure, broken, missing, loose or bent parts, faded or flaking paint, or non-operative or partially non-operative illuminating or mechanical devices. The City Manager or designee may cause to be removed after due notice any sign that shows gross neglect or becomes dilapidated.
- (b) The City Manager or designee shall give the owner ten days written notice to correct the deficiencies or to remove the sign or signs. If the owner refuses to correct the deficiencies or remove the sign, the City Manager or designee may have the sign removed at the expense of the owner.

SECTION 14. ILLUMINATION OF SIGNS.

- (a) No sign shall give off light that glares, blinds or has any other such adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways. No illuminated sign shall be constructed or maintained within 75 feet of the property line of any single-family residential zoned lot.

- (b) No sign shall have blinking, flashing, or fluctuating lights or other illuminating devices that have a changing light intensity, brightness or color.
- (c) Colored lights shall not be used at any location or in any manner so as to be confused with or construed as traffic control devices. Neither direct nor reflected light from primary light sources shall create a hazard to operators of motor vehicles.
- (d) Internally illuminated signs are prohibited in residential zoning districts.
- (e) All neon exterior lighting, including strips of neon lighting for decorative purposes shall not be permitted. Interior allowable window signs may have 10 percent of the allowable area of neon limited to one elevation of the building only. Neon in place prior to the adoption of the City of Cochran Sign Ordinance, 2014, may remain in accordance with the legal non-conforming sign regulations.

SECTION 15. VARIABLE MESSAGE SIGNS.

- (a) No variable message sign may change its message or copy, or any pictures or images that are part of the message, more frequently than once every eight (8) seconds and a maximum transition time of two (2) seconds between messages.
- (b) Except as expressly provided in this ordinance in regards to outdoor advertising signage, the portion of the sign face of a variable message sign which accommodates variable messages shall not exceed fifty (50) percent of the total sign face area and may not change its message or copy, or any pictures or images that are part of the message, more frequently than once every eight (8) seconds; the remaining portion shall be static.

- (c) When any variable message sign is located within one hundred fifty (150) feet of any residential zoning district, the display of variable messages shall discontinue between the hours of 11:00 p.m. and 6:00 a.m. and the sign shall be static and not display more than one (1) message during that period.
- (d) There shall be located no more than one (1) variable message sign per lot, and such sign shall be permitted only on a freestanding sign, and not on any wall sign or window sign.
- (e) Variable message outdoor advertising signs constructed after the adoption of this ordinance shall be located at least five thousand (5,000) feet from existing outdoor advertising signs using a variable message sign face, measured from the base of the outdoor advertising signs using a variable message sign face on the same side of the street.
- (f) The total number of variable message signs (including outdoor advertising signs) within the City of Cochran shall be limited to twenty five (25) signs.

SECTION 16. MAXIMUM HEIGHTS, MAXIMUM SIZES, SETBACK REQUIREMENTS AND NUMBER ALLOWANCE OF SIGNS PERMITTED.

Signs shall be permitted and regulated in accordance with the following sign table, unless otherwise regulated, prohibited or exempted herein:

(SIGN TABLE)

TYPE OF SIGN PURPOSE OF USE	MAX. HEIGHT	SETBACK FROM EDGE OF PAVEMENT ⁽¹⁾	MAXIMUM SIGN AREA ALLOWED	NUMBER AND TYPE PERMITTED
1. Freestanding	20 Ft.	10 Ft.	80 Sq. Ft. (120 Sq. Ft.)	One sign structure

signs for non-residential zoned property			located on \geq 4 lane roadway)	per road frontage, not to exceed maximum allowable square footage.
2. Building signs for an individual establishment	N/A	N/A	15% of building facade	The total of combined sign area on the building shall not exceed 220 square feet.
3. Canopy signs for non-residential zoned property	Min. 7 Ft. Clearance from the ground	N/A	16 Sq. Ft.	One sign per building.
4. Freestanding signs for residential zoned property	8 Ft.	10 Ft.	32 Sq.Ft. (80 Sq. Ft. for developments \geq 2 d.u./acre)	One sign per road frontage
5. Historic character mural signs for residential and non-residential property	N/A	N/A	N/A Special Exception; shall be approved by City of Cochran Planning and Zoning.	N/A Special Exception; shall be approved by City of Cochran Planning and Zoning.

(1) No part of any sign shall be located in, over, or project into a public right-of-way unless otherwise permitted by City of Cochran Sign Ordinance or State and/or Federal Regulations.

SECTION 17. OVERSIZED SIGNS.

Oversized signs shall be permitted subject to the following restrictions:

- (1) Oversized signs may be permitted as an allowed use located on properties that are adjacent to Georgia Department of Transportation (GDOT) designated truck routes. Oversized signs shall be prohibited within the City of Cochran's downtown historical corridor.
- (2) Oversized signs shall not be placed within 500 feet of a dwelling, residential zoning district, city building, church, school, daycare, park cemetery, or right-of-way of a scenic travel way as defined by the City of Cochran.

- (3) Oversized signs shall not be less than 1,250 feet from the city limits line of an incorporated city, or from any other oversized sign in any direction, on either side of the same right-of-way or along another right-of-way.
- (4) Oversized signs shall be completely independent of any building or other structure, excluding the sign structure.
- (5) Oversized signs shall meet the area, public street frontage, side yard, and rear yard requirements of the zoning district in which located.
- (6) The maximum sign area of all display surfaces shall not exceed 700 square feet per sign structure. For double-faced signs, these maximum sign areas shall apply to each side of the sign structure.
- (7) No oversized sign shall contain more than two faces per side, nor more than two sides; provided, however, that no sign face may be located above another sign face.
- (8) The maximum height and minimum front yard setback from the street right-of-way for oversized signs are:

Sign Face in One Direction	Maximum Height Setback	Minimum Front Yard
350 sq. ft. or greater	70 ft. if adjacent to GA HWY 23 and GA HWY 129. 40 ft. (all other roads)	75 ft. 75 ft.
300—349 sq. ft.	30 ft.	50 ft.

- (9) An increase in maximum height of an oversized sign may be permitted provided the applicant for such an increase is granted a special use permit by the mayor and council after receiving recommendations from the planning commission and after a public hearing, subject to the following conditions:

- a. The increase in maximum height shall not exceed 25 percent of the allowable maximum height specified in the table above.
- b. The oversized sign shall be a conforming sign.
- c. The oversized sign has been blocked from view by subsequent development.

(10) On existing oversized signs, a change of sign face and alteration of the structure to support an electronic message board is allowed provided the size and height of the sign is not increased.

SECTION 18. CONVENIENCE STORES AND SERVICE STATIONS WITH PUMP ISLANDS.

Convenience stores and service stations with pump islands may have additional signage subject to the following limitations:

- 1) Two signs per canopy face with a maximum of eight square feet per sign.
- 2) Spreader bars (signs located under canopy over pumps islands) shall be limited to no more than two signs per spreader bar, not to exceed four square feet per sign. However, total square footage for all spreader bars shall not exceed 24 square feet.
- 3) Accessory car wash, if a separate drive-through car wash building is on site, two additional wall signs may be allowed not to exceed eight square feet each.

SECTION 18. VARIANCES.

Where a literal application of this ordinance, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted by the zoning board of appeals pursuant to procedures set forth including, but not limited to:

- 1) Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area.
- 2) The applicant would be deprived of rights that are commonly enjoyed by others similarly situated.
- 3) Granting the variance would not confer on the applicant any significant privileges that are denied to others similarly situated.
- 4) The exceptional circumstances are not the result of action by the applicant.
- 5) The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated.
- 6) Granting of the variance would not violate more than one standard of this ordinance.

Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.

SECTION 19. ENFORCEMENT AND PENALTIES.

The sign provisions of this ordinance shall be administered by the City Manager or designee and enforced by the City of Cochran Code building inspector.

- (1) The City of Cochran building inspector may issue a citation for violation of this ordinance by any person, including, if applicable, the owner, manager or tenant of the lot on which a sign is located; for a sign erected, altered, maintained, converted, or used in violation of this ordinance; or in violation of any other applicable ordinance, including, but no limited to, building or electrical codes.

(2) Any person violating any provision of this ordinance shall be guilty of an offense, and upon conviction by a court of competent jurisdiction, shall be subject to a penalty of not less than \$25.00 nor more than \$1,000.00, or by confinement in the Bleckley County Jail for a total time not to exceed 60 days, or both, and may not be stayed or suspended. Each day shall constitute a separate offense.

(3) The City of Cochran may seek affirmative equitable relief in a court of competent jurisdiction to cause the removal or repair of any sign in violation of this or other city ordinances.

(4) The City Manager or designee may remove any sign or structure illegally placed upon a public right-of-way without any notice and may dispose of said sign or structure by taking it to any landfill. Such removal and disposal of illegally placed signs shall not preclude the prosecution of any person for illegally placing such signs in the public right-of-way.

SECTION 20.

SEVERABILITY

Should any phrase, clause, sentence or paragraph of this ordinance be held invalid or unconstitutional, the remainder of the ordinance shall remain in full force and effect as if such invalid or unconstitutional provision were not contained in this ordinance.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 21.

STARTING TIME

This ordinance shall be effective the _____ day of _____ 20____.