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Chapter 14 - SIGNS<sup>[1]</sup>

Footnotes:

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**Editor's note**— Ord. No. 04-28, adopted Jan. 3, 2005, repealed ch. 14 in its entirety and enacted new provisions as herein set out. Former ch. 14 pertained to similar subject matter and derived from Ord. No. 03-08, adopted Oct. 20, 2003.

**Cross reference**— Alcoholic beverages, ch. 3; buildings and building regulations, ch. 5; businesses and business regulations, ch. 6; streets and sidewalks, ch. 17; zoning, ch. 23.

**State Law reference**— Regulation of signs used by retail distilled spirits dealer, O.C.G.A. § 3-4-3; prohibited placement of campaign posters, signs and advertisements, O.C.G.A. § 21-1-1; unlawful placement of signs within right-of-way of public road, O.C.G.A. § 32-6-51.

Sec. 14-0. - Purpose and findings.

- (a) The Mayor and Council find that signs provide an important medium through which individuals may convey a variety of messages. However, left completely unregulated, signs can become a threat to public safety as a traffic hazard and detriment to property values and the City's overall public welfare as an aesthetic nuisance.
- (b) Various and diverse businesses are located within the City of Doraville. The need to advertise products and services must be balanced by the City's obligation to restrict clutter, maintain an aesthetically pleasing environment, protect property values, and enhance public safety.
- (c) Regulation of the location, size, placement, and certain features of signs is necessary to enable the public to locate goods, services, and facilities in the City without difficulty and confusion, to improve the general attractiveness of the community, to take advantage of the beauty of the community's natural environment, and to protect values therein. Such regulation is also necessary to facilitate and aid in the identification and location of businesses in the City in the event of police, fire or other emergencies and to avoid confusion and delay in response to such emergencies.
- (d) By enacting this chapter, the Mayor and Council intend to:
  - (1) Balance the rights of individuals to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs.
  - (2) Promote and protect the public health, safety and general welfare.
  - (3) Enhance the economy and the business and industry of the City by promoting the reasonable, orderly and effective display of signs.
  - (4) Restrict signs and lights which increase traffic and pedestrian hazards.
  - (5) Promote signs which are compatible with their surroundings.
  - (6) Ensure the fair and consistent enforcement of sign regulations.
- (e) As these or any regulations can only establish the mechanical limits of signs and not enforce a level of visual quality in sign design, any person planning a sign is strongly encouraged to consider:
  - (1) The character of the proposed sign and the audience for which the sign is to be designed. The applicant is urged to think not only of the sign in and of itself but also in terms of the effects such a sign will have upon the character of the surrounding area.
  - (2) The character of the sign structure, that is, the physical means of supporting the sign, and whether that structure could be made an integral part of the sign rather than a separate and frequently distracting element.
- (f) Any person contemplating a sign is also encouraged to contact the City Inspector or a private firm or individual engaged in sign/graphic design for advice or assistance in the planning of such sign.
- (g) It is also the purpose of this chapter to insure proper maintenance, for safety and structural soundness, as well as the appearance and attractiveness of signs.

(Ord. No. 04-28, § 1, 1-3-05)

ARTICLE I. - IN GENERAL

Sec. 14-1. - Definitions.

*Aggregate sign area* means the area of all signs on a parcel, excluding the area of one (1) face of all double-faced signs.

*Animated sign* shall mean a sign which requires electrical energy and has any of the following: action, motion, changing colors, or any message which changes more than once every sixty (60) minutes. This definition does not include signs which indicate time, temperature or date.

*Area of a sign/sign area* means the smallest square, rectangle, triangle, circle, or combination thereof, which encompasses the entire sign, inclusive of any border and trim but excluding the base, apron, supports, and other structural members.

*Awning sign* means a sign located on a roof-like cover extending before a place as a shelter and which may be used in lieu of a wall sign.

*Billboard sign* means a stanchion sign with a sign area which exceeds three hundred (300) square feet.

*Double-faced sign* means a sign which has two (2) display areas placed back to back against each other or where the interior angle formed by the display areas is sixty (60) degrees or less, where one (1) face is designed to be seen from one (1) direction and the other face from another direction.

*Freestanding sign* means a sign securely affixed to a steel support structure which is permanently attached to the ground and wholly independent of any building for support, such as monument or stanchion signs.

*Illuminated sign* means a sign that has light cast upon the sign from a source either internal to the sign or from an external light source directed primarily toward such sign.

*LED sign* shall mean an electronically controlled sign utilizing light-emitting diodes to form some or the entire sign message.

*Monument sign* means a freestanding sign mounted directly upon the ground. Such sign may not be attached to or be a part of or supported by the building in or to which the sign applies.

*Nonconforming sign* means any sign which does not conform to the provisions of this chapter.

*Parcel* means a separate tax unit of real property on county real estate records.

*Roof sign* means a sign attached to or supported by the roof of a building which extends above the immediately adjacent roof line of the building.

*Sign* means a device or representation for visual communication which is used for the purpose of bringing the subject thereof to the attention of others.

*Signs-during-vacancy* shall mean a temporary freestanding sign or a temporary wall banner permitted for development with vacant lots, units, and/or tenant spaces.

*Stanchion sign* means a freestanding sign mounted on one (1) or more steel poles or concrete or masonry columns set in the ground and of sufficient strength and size to support the advertisement portion of such structure which rests upon or is supported by such poles or columns.

*Wall sign* means a sign fastened, placed or painted upon or parallel to the exterior wall of the structure itself, whether front, rear or side of the structure.

*Window sign* shall mean a sign installed in the interior of a building either flush with or on a window or otherwise intended to be viewed from the outside.

*Yard and garage sale signs* means signs advertising the sale of household goods and clothing of the person or persons conducting the sale from the premises of one (1) of the persons conducting the sale.

(Ord. No. 04-28, § 1, 1-3-05; Ord. No. 2012-23, § 1, 11-19-12; Ord. No. 2012-26, § 1, 12-3-12)

Sec. 14-2. - Permits.

- (a) Except as specifically excluded from the provisions of this chapter, it shall be unlawful for any person to post, display, substantially change, or erect a sign in the City without first having obtained a sign permit. A separate permit shall be obtained for each sign at any particular location.
- (b) Existing signs which conform to the provisions of this chapter that would be required to obtain a permit under the regulations of this chapter must register with the City within ninety (90) days of the effective date of this chapter. The information provided for registration will be the same information required in a permit application under section 14-3. No permit fee will be required for the registration of existing signs.

(Ord. No. 04-28, § 1, 1-3-05)

Sec. 14-3. - Application information.

Applications for sign permits required by this chapter, shall be filed by the sign owner or the owner's agent with the Community Development Director. The application shall describe and set forth the following:

- (a) The street address and/or tax parcel identification number of the property upon which sign is to be located and a plat map of the property which bears an indication of the proposed location of the sign.
- (b) The name(s) and address(es) of the owner(s) of the real property upon which the subject sign is to be located.
- (c) Consent of the owner, or the owner's agent, granting permission for the placement or maintenance of the sign.
- (d) Name, address, phone number and business license number of the sign contractor.
- (e) The type of sign to be erected, the area of the sign, the dimensions of the sign, the shape of the sign, how the sign is to be illuminated (if at all), and an explanation of how the sign is to be mounted or erected.
- (f) Elevation drawings, drawn-to-scale, of the subject sign. For wall signs show the sign placement on a dimensioned building elevation drawing or photograph.
- (g) The value of the sign.
- (h) The distance of the sign from the closest adjacent sign in either direction.
- (i) The size of the parcel on which the sign is to be placed.
- (j) Applications for freestanding pole or ground mounted signs shall include:
  - (1) An engineered, scale drawing, containing a certification that the shape, design and construction of the sign is in compliance with the latest edition of the state mandated building codes as adopted and amended by Georgia Department of Community Affairs, and all of the other provisions and requirements of this chapter; and
  - (2) Site plan drawn-to-scale showing property lines and the proposed location of the subject sign, location of all freestanding pole or ground mounted signs on the property, entrance driveways from public streets, street rights-of-way, public or private easements, adjacent overhead utilities, and building footprint locations and gross floor area of buildings; and
  - (3) Total number of all existing freestanding pole or ground mounted signs, dimensions and height of each, and the combined aggregate area of all such signs on the parcel.
- (k) Plans and specifications on construction and erection, and other information required by the City administrative officials.

- (l) The payment in full of the applicable application fee.
- (m) All applications for any sign with any electronic component must include an electrical permit issued by the City.

(Ord. No. 04-28, § 1, 1-3-05; [Ord. No. 2017-23](#), § 1, 8-21-17)

Sec. 14-4. - Time for consideration.

The City shall process all sign permit applications submitted pursuant to section 14-3 within forty-five (45) calendar days of the City's actual receipt of a completed application and a sign permit fee. The Community Development Director shall give written notice to the applicant of the decision of the City by hand delivery, certified mail, return receipt requested, email or fax to the address set forth on the sign permit application and post-marked on or before the forty-fifth calendar day after the City's receipt of the completed application. If mailed, notice shall be deemed to have been given upon the date of mailing in conformity with this section. If the City fails to act within the forty-five-[day] period, the permit shall be deemed to have been granted. A sticker or other device bearing the sign permit number shall be affixed to the sign structure.

(Ord. No. 04-28, § 1, 1-3-05; [Ord. No. 2017-23](#), § 3, 8-21-17)

Sec. 14-5. - Denial and revocation.

- (a) *Procedure.* Permits shall be denied where the applications for signs do not comply with the provisions of this chapter, are incomplete, and where the applications contain any false material statements. Violation of any provision of this chapter and any other applicable state laws or city ordinances governing signs will be grounds for revoking a permit granted by the City for the erection of a sign. Should it be determined that a sign permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this chapter, the Planning Director shall revoke the permit. Should the Director deny a permit, the reasons for the denial are to be stated in writing and hand delivered, mailed by certified mail, emailed, or faxed to the address on the permit application, on or before the fifteenth business day after the Director's receipt of the application. Any application denied and later resubmitted shall be deemed to have been submitted on the date of resubmission instead of the date of the original submission. No permit shall be denied or revoked except for due cause as hereinafter defined. "Due cause" is the violation of the provisions of this chapter, other applicable ordinances, state or federal law, or the submission of an incomplete application or an application containing false material statements.
- (b) *Appeals.* The City Council shall have the power and duty to hear and decide appeals where it is alleged that there is an error in the denial or revocation of a sign permit under this chapter. All such appeals shall be heard and decided following the same notice requirements as for variance applications under this chapter, and pursuant to the following criteria and procedural requirements:
  - (1) *Appeal of decision by administrative officials.* A denial pursuant to this chapter shall be appealable by filing with the Planning Director an application for appeal on the forms provided by the Planning Department specifying the grounds thereof, within fifteen (15) days after the action appealed from was taken. The application fee for an appeal under this section shall be the same as that established for appeals under the Zoning Ordinance.
  - (2) *Decision of the Council.* Following the consideration of all testimony, documentary evidence, and matters of record, the Council shall make a determination on each appeal. An appeal shall be sustained only upon an expressed finding by the Council that the administrative official's action was based on an erroneous finding of a material fact, or that the administrative official acted in an arbitrary manner. In exercising its powers, the Council may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and to that end shall have all the powers of the administrative official from whom the appeal was taken and may issue or direct the issuance of a permit provided all requirements imposed by all other applicable laws are met.

- (3) *Time for final decision.* A final decision will be rendered by the Council within ninety (90) days from date an appeal is filed. If a final decision is not rendered within the ninety-day period, the decision sought to be appealed shall be reversed.
- (c) *Certiorari.* In the event a person whose permit has been denied or revoked is dissatisfied with the decision of the Council, a person may petition for writ of certiorari to the Superior Court of DeKalb County as provided by law.

(Ord. No. 04-28, § 1, 1-3-05; Ord. No. 2012-10, § 3, 6-4-12)

Sec. 14-6. - Permit expiration.

A sign permit shall become null and void if the sign for which the permit was issued has not been completed and installed within six (6) months after the date of issuance. No refunds will be made for permit fees paid for permits that expired due to failure to erect a permitted sign. If later an individual desires to erect a sign at the same location, a new application must be processed and another fee paid in accordance with the fee schedule applicable at such time.

(Ord. No. 04-28, § 1, 1-3-05)

Sec. 14-7. - Fees.

The fees for any sign permit required under this chapter shall be as determined by the City Council and listed in the fee schedule adopted by resolution of the City Council and maintained in the City Clerk's office and available for inspection.

(Ord. No. 04-28, § 1, 1-3-05; Ord. No. 2012-10, § 1, 6-4-12)

Sec. 14-8. - Prohibited signs.

The following types of signs are prohibited throughout the City:

- (a) Roof signs.
- (b) Animated signs.
- (c) Signs on public rights-of-way other than publicly owned or maintained signs.
- (d) Window signs which exceed thirty (30) percent of the window area.
- (e) Signs which contain words, pictures, or statements which are obscene, as defined by the O.C.G.A. § 16-12-80.
- (f) Signs which simulate an official traffic control or warning sign or hides from view any traffic or street sign, signal or public service sign.
- (g) Signs which emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing.
- (h) Signs which interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.
- (i) Signs erected by nailing, fastening or affixing the sign in any manner to any tree, post, curb, utility pole, or other structure except as set forth herein.
- (j) Signs which advertise any activity, service or product prohibited by the laws or regulations of the United States or the State of Georgia or by the ordinances or resolutions of the City.
- (k) Flags other than official flags of a governmental entity, banners, pennants, balloons, or streamers, air- or gas-filled figures, or other devices requiring air, gas, wind or other natural means for operating or movement (a "promotional sign") except for a period not to exceed fourteen (14) days for the purpose of drawing attention to a particular event or activity. Such temporary devices may only be maintained following application to and approval by the City building official. In the

event of the denial by the building official, the applicant may appeal to the City Council by filing an appeal with the City Clerk within ten (10) days of being denied approval. The appeal shall be heard by the City Council at a public hearing which shall be held within a reasonable time, but not more than thirty (30) days following such request. Said public hearing may be held in conjunction with a regular meeting of the City Council. The decision of the City Council following the hearing shall be final.

- (l) "A" frame, "sandwich", sidewalk or curb-type signs.
- (m) Portable displays or mobile signs, signs which are mounted on or painted upon, or otherwise attached to, automobiles, trucks, trailers or other vehicles for the purpose of transportation to and location on a site where an advertising message may be conveyed.
- (n) The provisions of this section 14-8 shall not apply to signs displayed by the City.
- (o) All LED signs except for one (1) window sign equal to or less than a total of four (4) square feet in area per store or office front.

(Ord. No. 04-28, § 1, 1-3-05; Ord. No. 05-03, § 1, 2-22-05; Ord. No. 06-04, § 1, 1-3-06; Ord. No. 06-04, § 1, 1-3-06; Ord. No. 06-13, § 1(a), (b), 4-17-06; Ord. No. 2012-23, § 2, 11-19-12)

Sec. 14-8.1. - Application for promotional sign permit.

- (a) A person desiring to display a promotional sign described in subsection 14-8(k) shall complete and submit an application for a permit on a form obtained from the City building official. The permit shall be numbered and dated and shall expire in fourteen (14) days. No such promotional sign permit shall be issued for the same premises for more than 42 days per year. No business shall be issued a special permit for more than one (1) sign or device per road frontage to be located on the premises at any one (1) time. Each individual establishment within a multi-tenant center shall be considered to have one (1) road frontage. All signs or advertising devices must be set back out of the right-of-way. The applicant shall attach the permit to the promotional sign. Nonprofit organizations shall be exempt from the payment of the application fee and posting of a bond.
- (b) In the event the promotional sign is not removed at the end of the fourteen-day period, the applicant shall be subject to being cited to appear in the Doraville Municipal Court for violation of the section and subject to the punishment set out in section 1-12 of the Municipal Code of the City of Doraville. Each day the promotional sign is not removed shall constitute a separate violation.

(Ord. No. 06-13, § 1(c), 4-17-06; Ord. No. 2013-17, § 1, 8-5-13)

Sec. 14-9. - Restrictions in residential zoning districts.

Other than subdivision entrance signs allowed under section 14-10, parcels located in residential zoning districts shall not have an aggregate sign area greater than eight (8) square feet. Signs having a height of greater than five (5) feet above the grade level of the adjacent street to which the parcel on which the sign is located shall not be located in the residential zoning districts. No sign in a residential zoning district shall have a sign area of greater than two and one-half (2½) square feet.

(Ord. No. 04-28, § 1, 1-3-05)

Sec. 14-10. - Residential subdivision entrance signs.

Platted residential subdivisions consisting of more than two (2) parcels may erect one (1) monument sign at each entrance to the subdivision. Notwithstanding the provisions of subsections 14-11(b) and 14-12(e), such sign shall not exceed a height of five (5) feet above the grade level of the adjacent street and shall not have a sign area greater than twenty-five (25) square feet. Such entrance signs shall not count toward the maximum allowable signage on a residential parcel.

(Ord. No. 04-28, § 1, 1-3-05)

Sec. 14-11. - Height requirements.

The following height requirements shall be adhered to:

- (a) The maximum height of all signs at their highest point above the level of the ground shall not exceed forty-five (45) feet; provided however, that a sign located on property adjacent to or within five hundred (500) feet of a federal interstate highway which would otherwise comply with and be permitted under each and every other provision hereof, may be fifty (50) feet at its highest point.
- (b) Monument signs shall not exceed ten (10) feet in height.
- (c) All sign heights shall be measured from the grade level of the adjacent street to which the property on which the sign is located has access. The level of the ground shall not be altered in such a way as to provide additional sign height.

(Ord. No. 04-28, § 1, 1-3-05)

Sec. 14-12. - General size and location requirements on commercial and industrial zoned parcels.

- (a) *Street rights-of-way.* No freestanding sign may be located within thirty (30) feet of the intersection of street right-of-way lines extended.
- (b) *Consent of owner.* No sign shall be located on any building, fence or other property belonging to another person without the consent of the owner, and as permitted under the provisions of this chapter.
- (c) *Billboard signs.*
  - (1) Billboard signs shall not exceed six hundred seventy-two (672) square feet of sign area. Billboard signs shall not exceed fourteen (14) feet in height or forty-eight (48) feet in length.
  - (2) Billboard signs shall only be located on parcels in commercial or industrial zoning areas.
  - (3) Billboard signs shall only be located on parcels adjacent to designated state or federal highways.
  - (4) No billboard sign shall be located within one thousand (1,000) feet of another billboard sign.
  - (5) No billboard sign shall be located within five hundred (500) feet of residential zoned parcels.
  - (6) No billboard sign shall be located within five hundred (500) feet in any direction of a public park, public playground, public recreation area, public forest, scenic area, or cemetery; provided, however, that such sign may be located within five hundred (500) feet of a public park, public playground, public recreation area, public forest, scenic area, or cemetery when the sign is separated by buildings or other obstructions so that the sign located within the five hundred (500) foot zone is not visible from the public park, public playground, public recreation area, public forest, scenic area, or cemetery.
- (d) *Stanchion signs.*
  - (1) Stanchion signs for parcels exceeding five (5) acres shall not exceed a sign area of four hundred (400) square feet.
  - (2) Stanchion signs for parcels less than five (5) acres, but equal to or greater than two (2) acres shall not exceed a sign area of one hundred fifty (150) square feet.
  - (3) Stanchion signs for parcels less than two (2) acres, but equal to or greater than thirty thousand (30,000) square feet shall not exceed a sign area of ninety (90) square feet.
  - (4) Stanchion signs for parcels less than thirty thousand (30,000) square feet in size shall not exceed a sign area of seventy (70) square feet.
  - (5) Stanchion signs shall only be located on property in commercial or industrial zoning areas.
  - (6) The provisions of this subsection (d) do not apply to billboards.
- (e) *Monument signs.* Monument signs shall not exceed sixty (60) square feet of total area, which shall include signage and structure.

- (f) *Wall and awning signs.*
- (1) Wall and awning signs shall not project about the parapet wall.
  - (2) Wall signs shall be painted on or attached to the building face. Awning signs shall not project beyond the building face by more than six (6) feet.
  - (3) Wall and awning signs shall not exceed a sign area equal to ten (10) percent of the wall face on each of each tenant's building façade, or two hundred-fifty (250) square feet, whichever is less.
  - (4) Wall and awning signs shall not exceed ten (10) feet in height. Subject to subsection 14-11(f)(3), there shall be no limit on length.
  - (5) Wall signs shall only be located on property in commercial or industrial zoning areas.
- (g) *Maximum aggregate sign area.* Parcels may contain more than one (1) sign, provided that:
- (1) Parcels exceeding five (5) acres shall be allowed a maximum aggregate sign area for the entire parcel of five hundred (500) square feet.
  - (2) Parcels less than five (5) acres but equal to or greater than two (2) acres shall be allowed a maximum aggregate sign area for the entire parcel of three hundred (300) square feet.
  - (3) Parcels less than two (2) acres but equal to or greater than thirty thousand (30,000) square feet shall be allowed a maximum aggregate sign area for the entire parcel of one hundred eighty (180) square feet.
  - (4) Parcels less than thirty thousand (30,000) square feet shall be allowed a maximum aggregate sign area for the entire parcel of one hundred (100) square feet.
  - (5) These limits shall not include the area of any wall signs located on the parcel.
  - (6) These limits shall include the area of all other freestanding signs on the parcel.
  - (7) The restrictions in this subsection (g) do not apply to the extent that a single billboard would exceed the size restriction on any particular parcel.
- (h) *Identifier signs.*
- (1) All business establishments located within the corporate limits of the City shall maintain an identifier sign. Such sign shall set forth, in the Roman alphabet, the name of the establishment and, in Arabic numerals, the numeric address of the establishment. If a business establishment shares the same street address as other business establishments, the identifier sign shall contain the suite or unit number in lieu of the numeric street address. The information contained in the identifier sign shall be not less than eight (8) inches in height.
  - (2) Nothing in this section shall be constructed to prohibit business identification signs in foreign languages, or by using foreign symbols or letters but only in addition to the requirements of subparagraph (1) of this section. The signage permitted under this subparagraph (2) shall be placed below the signage required under subparagraph (1) of this section.
  - (3) Any such identifier sign shall be removed in the event the establishment is no longer in business.
- (i) *Signs-during-vacancy signs.* Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one (1) on-premises temporary sign-during-vacancy sign per access-providing street frontage of the development. Said sign may be freestanding or a wall banner subject to the following conditions:
- (1) Freestanding signs shall:
    - a. Be no more than sixteen (16) square feet per face (double faced signs are allowed as long as the sign faces created an angle no greater than forty-five (45) degrees between faces);
    - b. Have a maximum height of six (6) feet; and
    - c. Not be internally illuminated.



- (2) Wall banners shall not exceed:
    - a. Sixteen (16) square feet in area when a sign will be on a building wall within twenty-five (25) feet or less from the road right-of-way;
    - b. Twenty-four (24) square feet in area when the sign will be on a building wall greater than twenty-five (25) feet and less than seventy-five (75) feet from the road right-of-way;
    - c. Forty (40) square feet when the sign will be on a building wall greater than seventy-five (75) feet from the road right-of-way.
  - (3) All such signs shall be maintained in good condition.
  - (4) All such signs shall be removed upon the development obtaining eighty (80) percent occupancy of total number of units.
  - (5) All such signs shall require a sign permit, to be renewed on an annual basis at a fee as adopted by Mayor and City Council as part of its fee schedule.
- (j) *Temporary signage during construction.* Temporary on-site signage during construction of a new development shall be permitted as follows in properties zoned multi-family residential, commercial and industrial:
- (1) Freestanding signs, with double pole support, are permitted and shall be limited to one (1) sign per street frontage on the construction site and shall not exceed a total area of thirty-two (32) square feet and a height of eight (8) feet as measured above existing grade at location of sign placement.
  - (2) Alternatively, in lieu of the freestanding sign(s) the property developer may elect to decorate with colors, graphics, symbols, writing, or other visual presentations an opaque fabric that provides a visual screen along a temporary construction fence and/or a construction trailer located on an active construction site.
  - (3) All temporary signs described above in subsections (1) and (2) shall not be illuminated and shall be placed no earlier than the start of construction and removed within ten (10) days of issuance of the last certificate of occupancy for the development, or if no building permit has been issued for construction during a period of six (6) months, whichever occurs first. Said signage shall not obstruct visibility at driveways and street intersections in accordance with the minimum twenty-foot setback of the sight triangle visibility requirements of section 23-703.

(Ord. No. 04-28, § 1, 1-3-05; Ord. No. 05-03, § 1, 2-22-05; Ord. No. 2012-21, § 1, 10-15-12; Ord. No. 2012-26, § 2, 12-3-12; [Ord. No. 2017-23](#), § 2, 8-21-17)

Sec. 14-13. - Construction standards.

- (a) All signs for which a permit is required under this chapter shall be constructed and maintained in accordance with the provisions of the City building code.
- (b) All signs, except for temporary signs, shall be constructed to withstand wind speeds of ninety (90) miles per hour and wind pressure of thirty (30) pounds per square foot.
- (c) All free-standing, pole or ground mounted signs shall be required to have a footing inspection prior to construction or erection thereof. Failure to acquire a footing inspection prior to the construction or erection of the sign shall be grounds for the revocation of any permit issued pursuant to this chapter. All such inspections must be conducted by the City Inspector or his designee. An Engineer's certificate from a Georgia licensed engineer will be furnished, if requested by the City Inspector.
- (d) All signs shall be routinely maintained by the owner of the sign or the owner of the premises upon which it is located so as to be structurally sound and safe, legible and similar in appearance to that specified by the most recent valid sign permit. This section shall not prohibit the changing of the printed matter on the face of a sign for that portion of the sign originally designed so as to be changeable.

(Ord. No. 04-28, § 1, 1-3-05)

Sec. 14-14. - Yard and garage sale signs.

- (a) No sign shall exceed two and one-half (2½) square feet of area.
- (b) Signs shall be placed only in the locations set out in the application for a permit and shall be limited to six (6) signs for that particular sale.
- (c) No sign shall be exhibited more than twenty-four (24) hours prior to the sale.
- (d) No signs advertising a yard or garage sale shall be placed on traffic directional signs, highway rights-of-way or utility poles within the corporate limits of the City.
- (e) It shall be unlawful for anyone residing outside the corporate limits of the City to advertise a yard or garage sale within the corporate limits of the City, which is to be conducted outside the corporate limits of the City. The Doraville Police Department is hereby authorized to remove any unauthorized signs.
- (f) Applications for permits for yard and garage sale signs shall be governed by the provisions of Chapter 13.5, art. II of the Doraville Code of Ordinances.

(Ord. No. 04-28, § 1, 1-3-05)

Sec. 14-15. - Nonconforming signs.

- (a) Nonconforming signs, which met all legal requirements when erected, may stay in place, provided that within ninety (90) days of the effective date of this chapter the owner of the nonconforming sign or his designee registers the sign with the City. Such registration shall contain the information listed in subsection 14-4(a) and shall specify the sign being registered as nonconforming and shall state that the sign was completely installed before the effective date of this chapter. The payment of a fee is not required for the registration of a nonconforming sign. Nonconforming signs shall be permitted until one (1) of the following conditions occur:
  - (1) The deterioration of the sign or damage to the sign makes it a hazard or unsightly.
  - (2) The sign has been damaged by circumstances beyond the control of the owner to the extent that more than minor repairs are required to restore the sign.
  - (3) Ninety (90) days has expired from the effective date of this chapter without the sign being registered.
- (b) No changes in shape, size or design shall be permitted except to make a nonconforming sign comply with all requirements of this chapter.
- (c) A nonconforming sign may not be replaced by another nonconforming sign except where changed conditions beyond the control of the owner render the sign nonconforming or warrant the sign's repair.

(Ord. No. 04-28, § 1, 1-3-05)

Sec. 14-16. - Variances.

- (a) Where a literal application of the terms of this chapter, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted where all the following conditions exist:
  - (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 which 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 other similarly situated.
  - (6) Granting of the variance would not violate more than one (1) standard of this chapter.
  - (7) Granting of 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.
- (b) No variances shall be granted to allow a greater height, size or number of signs than would be allowed if the hardship did not exist. No variance shall transfer to a new owner or occupant of the property.
  - (c) An application for a variance from the strict application of the provisions of this chapter may be initiated by application to the City Council on the form provided by the Planning Department. The Planning Director shall prepare an analysis of each application for variance applying the criteria and standards set forth in this section and said findings shall be presented to the City Council prior to the public hearing.
  - (d) Notice of public hearings. Notice of public hearing before the City Council on any application for variance or appeal shall be provided as follows:
    - (1) Signs, not less than six (6) square feet and in a color designated by the Planning Director, shall be posted within the public right-of-way or on the subject property at least fifteen (15) days before the hearing. One (1) sign shall be posted for each street frontage along each street on which the subject property has frontage. The lettering on the signs shall be printed and at least one (1) inch in size and the sign shall state the nature of the proposed application and the date, time and place of the public hearing; and
    - (2) Notice of the nature of the proposed application and the date, time and place of the public hearing before the board shall be published in the newspaper of general circulation within the City in which are carried the legal advertisements of the city at least fifteen (15) days prior to the date of the hearing and not more than forty-five (45) days prior to the date of the hearing.
    - (3) Applications may be withdrawn by the applicant or applicant's representative in writing without prejudice at any time before the vote of the City Council on the application. All fees submitted shall be forfeited in any case where the application is withdrawn after it has been advertised for a public hearing in a newspaper of general circulation.
  - (e) In the event of dissatisfaction with the decision of the City Council, the applicant may petition for a Writ of Certiorari to the Superior Court of DeKalb County as provided by law.

(Ord. No. 04-28, § 1, 1-3-05; Ord. No. 2012-10, § 2, 6-4-12)

Sec. 14-17. - Exemptions.

- (a) Signs erected by a public officer in the performance of his duties, including but not limited to: public notices, safety signs, danger signs, traffic and street signs, memorial plaques, and historical markers shall be exempt from the provisions of this chapter.
- (b) The following types of signs shall be exempt from the permit requirements of section 14-2 and in the case of commercial and industrial zoned parcels shall not count towards the maximum aggregate sign area limits provided in subsection 14-12(g):
  - (1) Nonilluminated signs, having a sign area not in excess of two and one-half (2½) square feet, provided they are not located in the public right-of-way. Such signs on commercial or industrial zoned parcels shall be limited to four (4) times a year for a period of ten (10) days at a time and each period of display shall be separated by at least thirty (30) days. This exemption shall not apply to portable signs.
  - (2) Window signs installed for purposes of viewing from outside the premises. However, such signs shall not exceed thirty (30) percent of the available window space.
  - (3) Numerals displayed for purposes of identifying property location.

- (4) Seasonal displays located outside of the public right-of-way that are erected for a maximum period of thirty (30) days no more than twice a year.
- (c) Every parcel may display no more than two (2) flags that shall not count toward the maximum aggregate sign area limits provided in subsection 14-12(g) without obtaining a permit. Flagpoles in residential zoned districts shall not exceed twenty-five (25) feet in height or the height of the primary structure, whichever is less. Flagpoles in commercial or industrial zoned districts shall not exceed sixty (60) feet in height or the height of the primary structure, whichever is less. The dimensions of any flag shall be proportional to the flagpole height such that the hoist side of the flag shall not exceed fifty (50) percent of the vertical height.

(Ord. No. 04-28, § 1, 1-3-05)

Sec. 14-18. - Illumination.

Illumination for signs shall not cast light on adjoining property or shine in such a manner as to cause traffic interference.

(Ord. No. 04-28, § 1, 1-3-05)

Sec. 14-19. - Enforcement and penalties.

- (a) All signs shall be maintained in good condition as to present a neat and orderly appearance. The City may, after due notice, issue a citation to any permittee for any sign which shows gross neglect or is in a state of disrepair. Such due notice shall be in writing, shall specify the sign and location, and shall state that the sign has not been properly maintained. The City shall give the permittee ten (10) days to rectify the condition or remove the dilapidated sign before issuing a citation.
- (b) The City may issue a citation for violation of this chapter by any sign erected, altered, converted, or used in violation of this chapter.
- (c) Any violation of this chapter shall be subject to punishment as provided in section 1-12 of the Municipal Code of the City of Doraville, Georgia.

(Ord. No. 04-28, § 1, 1-3-05)

Sec. 14-20. - SD-1 assembly sign overlay district.

- (a) *Creation of a district and purpose.* There is hereby created the SD-1 assembly sign overlay district, which applies to the properties located within the SD-1 zoning district, within the City of Doraville. The boundaries of said district are shown on the city's official zoning map, dated March 21, 2016, a copy of which is attached as exhibit "A", that is maintained by the City Clerk, and which is specifically incorporated herein and shall be made available upon request to the public. It is the intent of these regulations to address the specific and unique building forms, mass, and scale of the district and regulate the size and location of signs within the subdistricts T-5, T-5A, T-6, and T-6A of the SD-1 district while accomplishing the goals of this chapter. The general signage regulations of this chapter shall also apply to the SD-1 district, with the exception of the signage regulations stated in this section 14-20 which shall control signage in the SD-1 district where conflicts with the general chapter 14 regulations occur.

(1) Subdistrict T-5. [Reserved]

(2) Subdistrict T-5A:

a. *Wall and awning signs.*

- 1. Wall and awning signs shall not project above the parapet wall.
- 2. Wall signs shall be painted on or attached, fastened or placed parallel to and within twelve (12) inches of the building face. Awning signs shall not project beyond the building face by more than six (6) feet.

3. Wall and awning signs shall not exceed the aggregate sign area equal to ten (10) percent of each exterior wall face of the building façade portion of each tenant space and shall not exceed a size height of ten (10) feet.
  4. Wall and awning signs, not exceeding the aggregate sign area of thirty-two (32) percent of each exterior wall face of the building façade portion of each tenant space, shall be allowed for a building that has a gross floor area greater than one hundred thousand (100,000) square feet and has one (1) occupant. There shall be no height limit to the sign size.
  5. For the purposes of this section, tenant space shall mean an area within a building directly accessible by an exterior entrance.
- b. *Wall sign height restrictions:*
1. The maximum height of all signs at their highest point above the level of the ground shall not exceed fifty-five (55) feet.
  2. All sign heights shall be measured from the grade level of the adjacent street to which the property on which the sign is located has access. The level of the ground shall not be altered in such a way as to provide additional sign height.
- (3) Subdistrict T-6: [Reserved]
- (4) Subdistrict T-6A: [Reserved]
- (b) *Definition.* For the purpose of this section, the following definitions shall apply, provided however, that other definitions set forth in the chapter may be used to assist with the interpretation of this section so long as they do not conflict with the definitions of this section, further provided that the definitions set forth in this section are intended to control because of their specific application to the district and the sign types permitted therein:
- (1) *Mural sign* means a wall sign painted upon an exterior wall of any building or structure, whether front, rear, or side of the building or structure.
  - (2) *Principal occupant* means a building owner or tenant who occupies a minimum of fifty thousand (50,000) square feet of the floor space, of a specific building that is available for occupancy. Any lease for the required amount of floor space is to be for a period of not less than five (5) years.
- (c) *Sign lighting.* Signs may be externally lit from the top, bottom, or side, and the lighting shall be directed onto the sign face. Signs may be lit by exposed neon or may be halo-lit.
- (d) *New signs in the district.* Nothing in this section 14-20 shall preclude any person from applying for and obtaining a permit for additional signs in the district which are otherwise in compliance with and governed by, the general provisions of this chapter. The signs specifically allowed herein shall not be considered for calculation of maximum allowed sign area as dictated by the other applicable provisions of this chapter.

( [Ord. No. 2016-04](#), § 2, 6-6-16)