

ORDINANCE NUMBER ____-20__

AN ORDINANCE AMENDING CHAPTER II (DEFINITIONS) AND CHAPTER VI (SIGN STANDARDS) OF THE LAND DEVELOPMENT CODE FOR THE CITY OF WOODSTOCK, GEORGIA, AMENDING CHANGEABLE COPY SIGN STANDARDS, PROHIBITED SIGNS, DEFINITIONS, AND FOR OTHER PURPOSES

Whereas, the City of Woodstock, Georgia (hereinafter sometimes referred to as the “City”) is a municipality duly formed and existing pursuant to Georgia law; and

Whereas, the 1983 Constitution of the State of Georgia provides for the self government of municipalities without the necessity of action by the General Assembly¹; and

Whereas, the City of Woodstock, Georgia, has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general laws or which are expressly allowed by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto²; and

Whereas, the governing body of the City has determined that it is in the best interest of the City and its citizens to adopt the following; and

NOW THEREFORE BE IT RESOLVED, THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA HEREBY ORDAINS:

Section 1. That Chapter II of the Land Development Code, as amended, is hereby further amended by deleting the following definitions:

~~*Changeable Copy Sign/Reader Board* A Sign that is capable of changing the position or format of word messages 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. Tri-vision Signs and LED Signs are specifically excluded from the definition of Changeable Copy Sign.~~

¹ Ga Const , 1983, Article IX, Section II, Paragraph II provides in pertinent part as follows

‘The General Assembly may provide by law for the self government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to the municipalities may be dealt with without the necessity of action by the General Assembly ‘

²O C G A § 36-35-3 (a) provides as follows

“(a) The governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of this Code section This Code section, however, shall not restrict the authority of the General Assembly, by general law, to define this home rule power further or to broaden, limit, or otherwise regulate the exercise thereof The General Assembly shall not pass any local law to repeal, modify or supersede any action taken by a municipal governing authority under this Code section, except as authorized under Code Section 36-35-6 ”

~~LED Sign~~ An electronically controlled Sign utilizing light emitting diodes to form the Sign message. For purposes of this Chapter, a LED Sign is not considered a form of Changeable Copy Sign.

Section 2. That Chapter II of the Land Development Code, as amended, is hereby further amended by alphabetically inserting the following definitions:

Electronic sign A sign whose message may be changed at intervals by computer controller, microprocessor controller or remote control, and whose message is displayed through the use of LED, LCD, plasma or other similar type of panels or screens, including devices known as commercial electronic message signs and similar devices.

Changeable Copy Sign/Reader Board A Sign that is capable of changing the position or format of word messages 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.

Section 3. That Chapter VI of the Land Development Code, as amended, is hereby further amended by deleting Section 6.2.5 and replacing as follows:

6.2.5. – Prohibited Signs.

- (a) No Sign shall be erected or continued to be displayed at the intersection of any street or any public right-of-way in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic control sign, signal or device; or which makes use of the words, "STOP," "LOOK," "DANGER" or other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.
- (b) No Sign shall be placed or painted on any tree or rock.
- (c) No Sign shall be placed on any utility pole, light pole, telephone pole, street sign or similar utility fixtures except as permitted within this chapter.
- (d) No person shall erect, operate or use any attraction device or Sign that contains a beacon of any type and/or contains a spotlight providing direct illumination to the public.
- (e) Roof Signs.
- (f) Signs emitting or utilizing in any manner any sound capable of being detected on a public road or adjoining property by a person of normal hearing.
- (g) Signs displaying any obscene message as obscenity is defined by O.C.G.A. § 16-12-80.

- (h) Signs which obstruct any fire escape, any means of egress or ventilation, or prevent free passage from one (1) part of a roof to any other part thereto; Signs attached in any manner to any fire escape.
- (i) Bandit Signs or any other temporary Signs with the exception of those permitted under Chapter XX of the Land Development Code.
- (j) No person shall erect, operate or use any pennants, streamers, air or gas filled device as a Sign, except as permitted within this chapter. For the purpose of this Chapter, a balloon twelve (12) inches in diameter or less shall not be considered an air-filled device, except as provided under Chapter XX.
- (k) No person shall erect attraction devices or continue the operation of any such Signs that revolve, rotate, move or simulate movement or action; provided this restriction does not apply to tri-vision Signs meeting the standards of this Chapter in which the mechanical movement of panels to form new messages conforms to operational standards of state law.
- (l) No person shall use a vehicle or trailer in such manner as to attempt to circumvent the regulations of this Chapter. Vehicles driven and parked within the City limits which are regularly used in the course of business or that are driven to and from a place of business may contain identifying information on the vehicle and may be parked in lots serving the identified business, provided that such vehicle is regularly used for transportation unrelated to signage. Vehicles parked on property located in the City for indefinite periods of time (or moved temporarily and then returned to the same or similar location) and not regularly used in the course of business that contain identifying information shall be considered portable Signs. The use of vehicles to travel the streets and highways conveying billboards or Signs as displays to the traveling public are specifically prohibited.
- (m) Animated Signs.
- (n) Electronic Signs, except as provided under Section 6.4.8.

Section 4. That Chapter VI, Section 6.4.8 of the Land Development Code, as amended, is hereby deleted and replaced as follows:

6.4.8. - Changeable Copy Signs.

- (a) Any Sign on which the message changes more than eight (8) times per day shall be considered an Animated Sign and not a Changeable Copy Sign for purposes of this Chapter. Each rotation or change among two (2) or more messages shall be considered a change of message subject to the eight (8) change per day limitation; provided that tri-vision billboards meeting the definitions of this chapter are not considered Changeable Copy Signs and are subject to the regulations of Section 6.4.6
- (b) Changeable Copy Signs are permitted as an integral part of freestanding and Wall Signs in commercial, office and industrial zoning districts, subject to the following limitations:
 - (1) The Changeable Copy portion of the Sign shall not exceed twenty (20) percent of the overall maximum sign area of the Sign to which it is attached.

- (2) The total sign area of the combined Sign (Freestanding or Wall Sign plus changeable copy board) shall not exceed the overall size limitations imposed by this chapter.
 - (3) Changeable Copy Signs erected in combination with Freestanding or Wall Signs must be on the same pole, post or standard or within the same frame as the principle Sign.
 - (4) Electronic Signs are specifically prohibited as Changeable Copy Signs, except as provided under (c) below.
 - (5) No Changeable Copy Sign shall be programmed or utilized in such a manner as to flash or simulate movement.
- (c) *Electronic Signs.* Changeable Copy Signs may be Electronic Signs, used in accordance with the following provisions and legal non-conforming changeable copy signs shall not be converted to an Electronic Sign except in accordance with the provisions of this Article.
1. The following shall apply to all Electronic Signs:
 - i. Electronic Signs shall only be incorporated into Freestanding Signs as the Changeable Copy Sign, adhering to all provisions set forth under this Article. All other applications of Electronic Signs are expressly prohibited, including but not limited to as Building, Wall, or Canopy Signs.
 - ii. Only commercially zoned property fronting Highway 92 within the Parkway Overlay District are eligible for the use of Electronic Signs. Electronic Signs must be located on a property/lot with at least 200 feet of public road frontage and cannot be within 200 linear feet of another Electronic Sign.
 - iii. Electronic Signs shall contain static messages only, and shall not have movement nor flashing on any part of the sign structure, design, or pictorial segment of the sign, nor shall such sign have varying light intensity during the display of any single message. **Message changes shall occur instantly with no visible transition.**
 - iv. Electronic signs must operate within brightness levels as established in this Article. A certification of brightness provided by a qualified and independent contract is required for the issuance of the permit.
 - v. Each sign must have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change.
 - vi. Each individual static message must be displayed for not less than 60 seconds.
 - vii. Electronic Signs located on non-residentially zoned property may not operate at brightness levels of more than 0.20 foot candles above ambient light levels (at measurement conditions) as measured at a distance of 125 feet.
 - viii. If the Electronic Sign is located in the line of sight of a residentially occupied structure on a residentially zoned property, such electronic sign shall not operate at brightness levels of more than 0.1 foot candles above

ambient light levels (at measurement conditions) as measured at the nearest portion of such residential structure.

- ix. The owner of said Electronic Sign shall provide to the Community Development Director, information for a 24-hour contact able to turn off the electronic sign promptly if a malfunction occurs. If, at any time more than 20 percent of the digital display lights malfunction or are no longer working, the owner of said electronic sign shall turn off the electronic display until repairs are made.
- x. In the course of processing a complaint, the Community Development Department may request a certification of the brightness (under measurement conditions) by an independent contractor (if such has not been certified within the preceding 12 months). If this investigation and certification indicates that the electronic sign exceeds the brightness levels specified in this Article, the owner of the sign, within 24 hours of a request by the Community Development Department, shall turn off the sign until the brightness of the sign is corrected to comply with this Article at owner's expense.
- xi. Any electronic sign whose face or structure is physically removed for whatever cause must alter the sign to comply with this ordinance.
- xii. No electronic sign shall utilize, house or contain any interactive features or components, or function as an interactive or Animated Sign.
- xiii. Notwithstanding any provisions otherwise providing for variance to the terms and limitations in the Land Development Code, the limitation on the frequency by which the image on an Electronic Sign may change shall not be subject to variance other than by amendment to this Article.

Effective Date. This Ordinance shall take effect immediately.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, THIS 12 DAY OF September, 2016.

1st Reading: 8/22/16 2nd Reading: 9/12/16



DONNIE HENRIQUES, MAYOR



RHONDA L. PEZZELLO, CLERK