

10-0-2099

(Do Not Write Above This Line)

AN ORDINANCE

BY

AN ORDINANCE TO IMPOSE INTERIM CONTROLS ON APPLICATIONS FOR BUILDING PERMITS FOR PROJECTING SIGNS FOR ONE HUNDRED EIGHTY (180) DAYS OR UNTIL SUCH TIME AS THE ATLANTA CITY COUNCIL HAS TAKEN FINAL ACTION TO AMEND THE CODE OF ORDINANCES TO DEFINE THE MAXIMUM LENGTH WHICH A SIGN MAY PROJECT FROM A WALL AND TO SPECIFY THE MANNER IN WHICH SUCH SIGNS MUST SUPPORTED IN ORDER TO DIFFERENTIATE A PROJECTING TO SIGN FROM A FREESTANDING SIGN, WHICHEVER IS THE FIRST TO OCCUR; AND FOR OTHER PURPOSES.

ADOPTED BY

DEC 6 2010

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee
Date
Chair
Referred To

[Signature]
Committee

Dec. 10 2010
Chair

Fav. Adv. Hold (see rev. side)
Other

Members

[Signatures]

Refer To

Committee

Date

Chair

Fav. Adv. Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Fav. Adv. Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Fav. Adv. Hold (see rev. side)
Other

Members

Refer To

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - Consent
 - V Vote
 - RC V

CERTIFIED

CERTIFICATE
DEC 06 2010

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFICATE
DEC 6 2010

[Signature]
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

[Signature]
MAYOR



10-0-2099

**AN ORDINANCE
BY COUNCIL MEMBER**

AN ORDINANCE TO IMPOSE INTERIM CONTROLS ON APPLICATIONS FOR BUILDING PERMITS FOR PROJECTING SIGNS FOR ONE HUNDRED EIGHTY DAYS (180) OR UNTIL SUCH TIME AS THE ATLANTA CITY COUNCIL HAS TAKEN FINAL ACTION TO AMEND THE CODE OF ORDINANCES TO DEFINE THE MAXIMUM LENGTH WHICH A SIGN MAY PROJECT FROM A WALL AND TO SPECIFY THE MANNER IN WHICH SUCH SIGNS MUST BE SUPPORTED IN ORDER TO DIFFERENTIATE A PROJECTING SIGN FROM A FREESTANDING SIGN, WHICHEVER IS THE FIRST TO OCCUR; AND FOR OTHER PURPOSES.

WHEREAS, the number, size, design characteristics, and locations of signs in the City of Atlanta directly affect the public health, safety, and welfare; and

WHEREAS, the City of Atlanta Sign Ordinance (hereafter "Sign Ordinance") currently regulates wall signs and defines a projecting wall as "a sign attached to a building wall and extending laterally more than 12 inches from the face of such wall"; and

WHEREAS, the Sign Ordinance's current definition of a projecting sign does not define the maximum length which a sign may project from a wall or completely specify the manner in which such signs must be supported in order to differentiate the projecting sign from a free standing sign which allows greater square footage and which is more limited in the number that may be displayed; and

WHEREAS, the City recognizes that this ambiguity could be exploited by an interpretation in applications for sign permits that attempts to characterize freestanding signs as projecting signs, a type of wall sign; and

WHEREAS, the City recognizes that projecting signs should be allowed but believes that it is in the best interest of the public health, safety, and welfare that projecting signs should be controlled by regulations, which define the manner in which such signs must be supported and differentiate such signs from freestanding signs so that do not negatively affect the aesthetics of the City's streetscape or pose a danger due to their manner of attachment; and

WHEREAS, the Office of Buildings must process applications for projecting signs under the current Sign Ordinance definition and is required to approve or deny applications for sign permits within thirty days, such that it would be forced to deny all such applications before the Sign Ordinance can be amended; and



WHEREAS, it is the best interest of the City to limit the number of denials and litigated appeals of such denials by the use of interim controls on projecting signs; and

WHEREAS during the period between the introduction of an ordinance placing interim controls on the acceptance of applications for projecting wall signs and final action by the Atlanta City Council on such ordinance, applications submitted to the Office of Buildings would have to be analyzed under the current Sign Ordinance and denied unless an executive order is issued which directs the Office of Buildings that no such applications shall be accepted until the final action of the Atlanta City Council on the ordinance placing interim controls; and

WHEREAS, these interim controls and any executive order issued by the Mayor will limit the number of denials and litigated appeals of such denials; and

WHEREAS, text amendments are being developed proposing certain changes to the Sign Ordinance for the purpose of more explicitly defining how projecting signs may be attached to buildings and the maximum length and orientation of their projection; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of the City of Atlanta that all reasonable efforts be made to preserve the status quo to allow sufficient time for these amendments to be prepared and adopted;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA, HEREBY ORDAINS:

Section 1: For a period no longer than 180 days after the this ordinance becomes law, the Office of Buildings is hereby authorized, ordered and directed to refuse to accept building permit applications for new projecting signs, as such signs are presently defined by the City of Atlanta Sign Ordinance.

Section 2: In the event that the interim controls have not expired due to the passage of 180 days after this ordinance becomes law, the interim controls will expire as of the date that text amendments to the Sign Ordinance, containing terms that more explicitly define how projecting signs may be attached to buildings and the maximum length and orientation of their projection, become law; provided however that the text amendments need not be limited to incorporate only such terms and may include such other terms as deemed appropriate.

Section 3: As a condition of this interim control ordinance, it is hereby directed that for any building permit application for a projecting sign which has been lawfully accepted prior to the date of passage of this ordinance providing interim controls, the grant or denial of such application shall be determined under the terms of the presently applicable ordinances. Building permit applications may be accepted to replace or repair an existing projecting sign provided however that the replacement or repair shall not



increase the length of projection of the sign from the wall to which the existing sign is currently attached.

Section 4: This ordinance shall become law upon the date of approval of this ordinance by the Mayor or by operation of the City Charter.

A true copy,

Deputy Clerk

**ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed**

**DEC 06, 2010
DEC 06, 2010**

RCS# 727
12/06/10
5:00 PM

Atlanta City Council

REGULAR SESSION

10-O-2099

IMPOSE INTERIM CONTROLS ON APP.FOR
BUILDING PERMITS FOR PROJECTING SIGNS
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	B Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	NV Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

10-O-2099