

Keisha Lance Bottoms
H.L. 20
Bottoms

AN ORDINANCE BY COUNCILMEMBER KEISHA LANCE BOTTOMS

AN ORDINANCE TO AMEND THE SIGN ORDINANCE OF THE CITY OF ATLANTA, CHAPTER 28A OF THE ATLANTA ZONING ORDINANCE, AS AMENDED, TO DEFINE THE TERM “WINDOW SIGN”, TO REQUIRE WINDOW SIGNS TO OBTAIN SIGN PERMITS IF VISIBLE FROM THE PUBLIC RIGHTS OF WAY, TO REGULATE THE TIME, PLACE AND MANNER IN WHICH WINDOW SIGNS SHALL BE PERMITTED; AND FOR OTHER PURPOSES.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:

Section 1: The purpose and intent in adopting this amendment to the Sign Ordinance is set forth in Sec. 16-28A.003, which is incorporated herein by reference.

Section 2: That Sec. 16-28A.001 is amended to add a new definition for the term “window sign” which shall read as follows:

“Any sign that is placed on, affixed to, painted on or located within the casement or sill area of a window and is visible from the exterior of the structure; but not including any lawful display of merchandise.”

Section 3: Sec. 16-28A.007 entitled “General Regulations”, subsection (q) and which reads:

(q) Reserved.

Is hereby amended to read as follows:

(q) *Window Signs:* Window signs shall only be permitted as follows:

(1) In the O-I, C-1 through C-5, I-1 I-2, SPI-1, SPI-9, SPI-12, SPI-15, SPI-16, SPI-17, SPI-22 and MRC zoning districts, not more than three window signs per establishment shall be allowed and shall not be larger than four square feet or cover more than 25 percent of the area of each window in which a sign is placed, whichever is less. Such signs shall not be illuminated, except that one window sign within a business establishment may be illuminated. Window signs shall not be counted towards the wall sign total square footage.

(2) In R-1 through R-5, RG, PDH and MR zoning districts, not more than three window signs per dwelling unit shall be allowed and shall not be larger than four square feet or cover more than 25 percent of the area of each window in which sign is placed, whichever is less. Such signs shall not be illuminated.

(3) In all other districts, not more than three window signs per dwelling or business establishment shall be allowed and shall not be larger than four square feet or cover more than 25 percent of the area of each window in which sign is placed, whichever is less. Such signs shall not be illuminated.

(4) Incidental signs shall not be considered window signs.

(5) Any window sign in lawful existence prior to the effective date of this amendment shall be removed within a reasonable period of time so as to allow recoupment of cost to the sign owner. Cost shall be evidenced by receipts or other evidence of actual cost in procuring the window sign. Removal shall be as follows:

(a) Any window sign with a cost of \$100 or less shall be removed within 30 days of the effective date of this amendment.

(b) Any window sign with a cost of greater than \$100 and less than \$5000 shall be removed within 120 days of the effective date of this amendment.

(c) Any window sign with a cost of equal to or greater than \$5000 shall be removed within one year of the effective date of this amendment.

Section 4: Sec. 16-28A.008 entitled “Signs not requiring a permit” and which reads:

The following signs shall not be required to obtain a sign permit:

(1) Any public notice or warning required by valid and applicable federal, state or local law, regulation or ordinance.

(2) Any sign inside a building, with the exception of window signs.

(3) Holiday lights and holiday decorations with no commercial message.

(4) Flags.

(5) Campaign signs. (See section 16-28A.007(c)).

(6) Real estate signs. (See section 16-28A.007(j)).

(7) Incidental signs not exceeding 35 square feet in sign area. (See section 16-28A.007(l)).

(8) Signs otherwise allowed within public rights-of-way pursuant to section 16-28A.012, except for subsection 16-28A.012(a)(5) therein, which signs shall require a permit.

(9) Parking lot identification signs required by sections 16-14.011(5), 16-15.010(5), 16-18A.012(5), 16-18B.012(5), 16-18C.012(5), and 16-18D.012(5) of this part 16.

(10) Approved historic markers. (see section 16-28A.007(w)). Signs which do not meet the requirements for approved historic markers provided in section 16-28A.007(w) as to size, shape, height, plate size, and allowable text or decoration are not "approved historic markers," even if erected for the purpose of commemorating historical events or persons, and shall be required to obtain a permit in accordance with the City of Atlanta Sign Ordinance.

Is hereby amended to read as follows:

The following signs shall not be required to obtain a sign permit:

- (1) Any public notice or warning required by valid and applicable federal, state or local law, regulation or ordinance.
- (2) Any sign inside a building, **except window signs visible from the public rights of way which shall require a permit.**
- (3) Holiday lights and holiday decorations with no commercial message.
- (4) Flags.
- (5) Campaign signs. (See section 16-28A.007(c)).
- (6) Real estate signs. (See section 16-28A.007(j)).
- (7) Incidental signs not exceeding 35 square feet in sign area. (See section 16-28A.007(l)).
- (8) Signs otherwise allowed within public rights-of-way pursuant to section 16-28A.012, except for subsection 16-28A.012(a)(5) therein, which signs shall require a permit.
- (9) Parking lot identification signs required by sections 16-14.011(5), 16-15.010(5), 16-18A.012(5), 16-18B.012(5), 16-18C.012(5), and 16-18D.012(5) of this part 16.
- (10) Approved historic markers. (see section 16-28A.007(w)). Signs which do not meet the requirements for approved historic markers provided in section 16-28A.007(w) as to size, shape, height, plate size, and allowable text or decoration are not "approved historic markers," even if erected for the purpose of commemorating historical events or persons, and shall be required to obtain a permit in accordance with the City of Atlanta Sign Ordinance.

Section 5: Should any section or provision of this ordinance or the application thereof to any person or circumstance, be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of Chapter 28A ("Sign Ordinance of the City of Atlanta") as a whole or any section thereof other than the section or provision, or application thereof, specifically declared to be invalid.