CITY COUNCIL
ATLANTA, GEORGIA

14-O-1341

AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK AUTHORIZING, ORDERING AND DIRECTING OF THE DIRECTOR OF THE OFFICE OF BUILDINGS TO CONDITION THE ISSUANCE OF ALL BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY FOR STRUCTURES TO BE USED FOR COMMERCIAL AND INDUSTRIAL PURPOSES SUCH THAT NO SIGN INSIDE OF ANY BUILDING SHALL EXCEED SIX SQUARE FEET IF SUCH SIGN WOULD BE VISIBLE FROM THE PUBLIC RIGHT OF WAY FOR A PERIOD NOT TO EXCEED ONE YEAR OR UNTIL THE EFFECTIVE DATE OF A PROPOSED AMENDMENT TO THE SIGN ORDINANCE CONCERNING THE MANNER IN WHICH SIGNS INSIDE OF BUILDINGS ARE REGULATED SO AS TO ALLOW FOR THE CONSIDERATION OF THIS PROPOSED LEGISLATION; AND FOR OTHER PURPOSES.

Workflow List:

Atlanta City Council	Completed	06/18/2014 5:39 PM
Zoning Committee	Pending	
Mayor's Office	Pending	

HISTORY:

06/16/14	Atlanta City Council	REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION

Certified by Presiding Officer	Certified by Clerk
Mayor's Action *See Authentication Page Attachment*	

LEGISLATION HISTORY – BLUE BACK

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SPONSOR SIGNATURES

Howard Shook, Councilmember, District 7

AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK AUTHORIZING, ORDERING AND DIRECTING OF THE DIRECTOR OF THE OFFICE OF BUILDINGS TO CONDITION THE ISSUANCE OF ALL BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY FOR STRUCTURES TO BE USED FOR COMMERCIAL AND INDUSTRIAL PURPOSES SUCH THAT NO SIGN INSIDE OF ANY BUILDING SHALL EXCEED SIX SQUARE FEET IF SUCH SIGN WOULD BE VISIBLE FROM THE PUBLIC RIGHT OF WAY FOR A PERIOD NOT TO EXCEED ONE YEAR OR UNTIL THE EFFECTIVE DATE OF A PROPOSED AMENDMENT TO THE SIGN ORDINANCE CONCERNING THE MANNER IN WHICH SIGNS INSIDE OF BUILDINGS ARE REGULATED SO AS TO ALLOW FOR THE CONSIDERATION OF THIS PROPOSED LEGISLATION; AND FOR OTHER PURPOSES.

WHEREAS, the number, size, design characteristics, and location 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 signs on the exterior of buildings but does not require that signs erected on the interior of buildings obtain a permit even if such signs can be viewed from a public right of way; and

WHEREAS, the City Sign Ordinance regulates signage located on the site of businesses and other entities allows and general advertising signs to be displayed but limits the number and location where such signs may be placed on private property, their height and size and whether they can be illuminated and changed by the use of light emitting diodes or other electronic means; and

WHEREAS, the fact that signs located inside of buildings do not require a permit has been exploited by creating large windows and/or doors and allowing signs to be displayed so that they can be seen from the public right of way either for the purpose of business identification or general advertising and arguing that such signs are not regulated; and

WHEREAS, appropriate signage opportunities should be allowed but it is in the best interest of the public health, safety, and welfare that signs inside buildings which are visible from the public right of way should be controlled by regulations and be regulated for other purposes so that they do not negatively affect the aesthetics of the City's streetscape or pose a danger to the travelling public; and

WHEREAS, the Office of Buildings must process applications for building permits but cannot limit the size and manner display of signs located on the inside of buildings unless amendments to the Sign Ordinance are put in place to provide authority to require permits for such signs under the criteria of the regulations which provide such authority; and

WHEREAS, it is the best interest of the City to limit the number of denials of application for building permits and the litigated appeals of such denials by the use of interim controls on signs inside of buildings but visible from the public right of way through their proximity to the windows and/or doors; and

WHEREAS, one or more text amendments have been introduced proposing certain changes to the Sign Ordinance for the purpose of more explicitly defining how signs inside of windows may be displayed by regulating their size, other criteria defining their relationship and visibility to the public right of way; and

WHEREAS during the period between the introduction of these text amendments and final action by the Atlanta City Council, interim controls on the size and manner display of signs located on the inside of buildings but visible from the public right of way on such ordinance, are desirable because applications submitted to the Office of Buildings would have to be analyzed under the current Sign Ordinance; 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 allow sufficient time for these amendments to be adopted; and

WHEREAS, a moratorium on the acceptance of building permits is not a feasible way to impose interim controls on signs inside of buildings that are visible from the public right of way but extension of the interim controls requiring that a condition be placed on building permits preventing the installation or display of signs that would exceed the expected size limitation of six square feet; and

WHEREAS, interim controls requiring that a condition be placed on building permits preventing the installation or display of signs that would exceed the expected size limitation of six square feet will expire on July 26, 2014; and

WHEREAS, the new text amendments will be continuing in the legislative process for an additional period past July 26, 2014; and

WHEREAS, it is necessary to extend the interim controls for a not exceeding one year pending final City Council action on the legislation being considered because the existing moratorium will expire ;

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

Section 1: As an interim control measure, the Director of the Office of Buildings is hereby authorized, ordered and directed to place a condition on any building permit or certificate of occupancy for new construction or renovation of buildings to be used for commercial or industrial purposes that are issued after the effective date of this ordinance. The condition shall be that no sign inside of a building which exceeds six square feet shall be displayed through any window or door in a manner whereby such sign is visible from the public right of way. Visible from the public right of way shall mean for the purpose of this ordinance a sign inside of a building that is less than eight feet from such window and/or where no habitable space is created between where such sign is displayed and the window or door. The condition shall further require that any sign smaller than six square feet shall follow the district regulations with respect to whether such sign may change from one message to another within twenty four (24) hours.

Section 2: In the event that the actual building permit or certificate of occupancy does not reflect the condition set forth in Section 1 on its face, this ordinance shall impose the condition separate and apart from the fact that it may or may not appear on the face of the building permit or certificate of occupancy.

Section 3: This interim control ordinance is effective for a period of one year or until the effective date of the last sign ordinance amendment, concerning the manner in which signs inside of buildings and visible from the public right of way are defined and regulated, becomes law provided that such ordinance is introduced or under consideration during the period of interim controls.

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