

**AN ORDINANCE TO AMEND THE CITY OF PEMBROKE ZONING ORDINANCE
AS SET FORTH IN APPENDIX B
ENTITLED "SIGNS"**

WHEREAS, the City of Pembroke enacted an ordinance, which now appears in Title 6 Planning & Development, Chapter 5 entitled Signs in the City of Pembroke Code of Ordinances and identically identified as Appendix B, titled Sign Ordinance of the City of Pembroke Zoning Ordinance. It now appears necessary that the ordinance be amended to provide for changing conditions.

Therefore, be it hereby amended by striking Appendix B in its entirety and substituting in lieu thereof the attached:

THEREFORE, this ordinance shall become effective November 9, 2010.

Be it hereby ordained by the City of Pembroke Mayor and Council on this the 8th day of November 2010.

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

Judy B. Cook
Mayor

Attest:
Betty K. Hill
City Clerk

1st Reading 10-11-2010

2nd Reading & Adoption 11-8-2010

AN ORDINANCE TO AMEND THE CITY OF PEMBROKE ZONING ORDINANCE

Whereas, the City of Pembroke enacted an ordinance which now appears in the City of Pembroke Zoning Ordinance as Appendix B, and is also identified as Chapter 5, Signs, of Title 5, Planning and Development of the Code of Ordinances of the City of Pembroke; the Planning and Zoning Commission and the City Council find it necessary that the Ordinance be amended to provide for changing conditions.

Said ordinance is hereby amended by striking Appendix B, Signs, in its entirety and substituting in lieu thereof the following:

Section 1 - Purpose and Findings.

Be it ordained by the City Council of the City of Pembroke that:

(a) The City of Pembroke's population has grown in recent years. With the increase in population has come a drastic and dramatic increase in the volume of traffic in the City along the State and Federal road system. Uniform regulation of signage providing directional, commercial, and noncommercial information to the motoring public, to promote public safety, is essential.

(b) Various and diverse businesses are located within the City of Pembroke. 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 property 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. Accordingly, it is the intention of the City to establish regulations governing the display of signs which will:

- (1) Promote and protect the public health, safety and general welfare;
- (2) Enhance the economy and the business and industry of the City by promoting the reasonable, orderly and effective display of signs;
- (3) 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;
- (4) Restrict signs and lights which increase clutter or which increase the probability of traffic accidents by obstructing vision;
- (5) Protect property values by minimizing the possible adverse effects and visual blight caused by signs;
- (6) Promote signs which are compatible with their surroundings;
- (7) Ensure the fair and consistent enforcement of sign regulations.

(d) It is also the purpose of this ordinance to insure proper maintenance, for safety and structural soundness, as well as the appearance and attractiveness of signs.

Section 2 - Definitions.

“*Aggregate sign area*” shall mean the area of all signs on a parcel, excluding the area of one face of all double-faced signs.

“*Animated sign*” shall mean a sign with action, motion, or changing colors which requires electrical energy. This definition includes any signs that electronically change the sign face, whether by substitution of copy or scrolling. An electronic sign that maintains a steady sign face without change for no less than six (6) hours is not considered an animated sign. However, any deviation from the minimum six (6) hour change of unchanged copy results in the sign being considered an animated sign.

“*Air and gas filled device*” shall mean any sign using, either wholly or in part, forced air or other gas as a means of supporting its structure.

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

“*Awning*” shall mean a roof-like cover that projects from the wall of a building for the purpose of shielding a doorway, or window from the elements. Awnings are often made of fabric or flexible plastic supported by a rigid frame, and may be retracted into the face of the building.

“*Awning sign*” shall mean 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. See also “Wall Sign.”

“*Banner*” A sign other than an official or personal flag, made of paper, cloth, thin plastic, or similar lightweight material, and usually containing a message or logo.

“*Beacon*” Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.

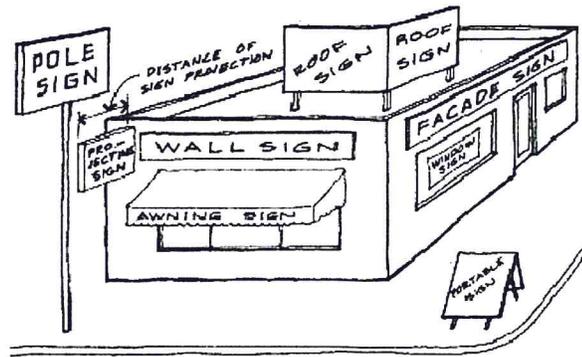
“*Billboard sign*” shall mean any sign with a sign area exceeding 300 square feet.

“*Building marker*” is any sign displaying the name of a building and date and other incidental information about its construction. Such a sign is cut in a masonry surface, bronze or permanent material.

“*Building sign*” A sign that in any manner is fastened to, projects from, or is placed or painted upon the exterior wall, window, door, or roof of a building. The term “building sign” includes but is not limited to the following:

- (1) *Awning sign*: Any sign imposed, mounted or painted upon an awning, canopy, or other fabric, plastic, or other structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
- (2) *Mansard sign*: A sign imposed, mounted or painted upon a mansard and not extending above the top of the mansard.
- (3) *Marquee sign*: Any sign attached flat against the marquee or permanent sidewalk canopy of a building and not extending above the top of the marquee.
- (4) *Parapet sign*: A sign imposed, mounted or painted on a parapet and not extending above the top of the parapet.
- (5) *Projecting sign*: A sign affixed to a wall and extending more than 8 inches from the surface of such wall, usually perpendicular to the wall surface.

- (6) *Roof sign*: A sign that is attached to or supported by the roof of a building which extends above the immediately adjacent roof line of the building.
- (7) *Under-canopy sign*: A display attached to the underside of a marquee or canopy and protruding over private sidewalks.
- (8) *Wall (or façade) sign*: mean 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.
- (9) *Window sign*: shall mean any sign, pictures, symbols, or combination thereof, designed to communicate information about an activity, business, sale, event, commodity, or service, which is attached to, installed flush with or placed upon a door or window and intended to be viewed from the outside.



SIGN TYPES

“*Canopy*” is a permanent roof-like structure made of cloth, metal, or other material projecting from a building and open on at least one side for the purpose of shielding a pedestrian walkway from the elements, or a freestanding roof-like structure supported by columns intended to shield a vehicular driveway or service area from the elements.

“*Changeable copy sign*” is a sign or portion of a sign with illustrations or letters, which can be changed or rearranged, without altering the face or surface of the sign.

- (1) *Automatic changeable copy sign*: A sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature units. Copy shall mean words and numbers.
- (2) *Manual changeable copy sign*: A sign on which copy is changed manually in the field, e.g., reader boards with changeable letters. Copy shall mean words and numbers.

“*Construction sign*” A sign identifying individuals or companies involved in design, construction, wrecking, financing, or development when placed upon the premises where work is under construction, but only for the duration of construction or wrecking.

“*Double-faced sign*” shall mean 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 face is designed to be seen from one direction and the other face from another direction. The two sign faces are separated from each other at their nearest point by no more than three feet.

“*Flag*” shall mean any fabric or bunting containing colors, patterns, or symbols used to signify a government or other entity or organization.

“*Freestanding sign*” shall mean a sign securely affixed to a support structure which is permanently attached to the ground and wholly independent of any building for support, such as monument or stanchion signs. The term “freestanding sign” includes but is not limited to the following:

- (1) *Pole sign*: A sign that is mounted on a freestanding pole, columns, or similar support such that the bottom of the sign face or lowest sign module is not in contact with 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. This also includes “stanchion signs”.

- (2) *Ground sign*: A freestanding sign in which the entire bottom of the sign face or structure is in contact with the ground, providing a solid and continuous background for the sign face from the ground to the top of the sign. Also referred to as a “monument sign.”

“*Illuminated sign*” shall mean 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.

- (1) *Internally illuminated sign*: Any sign that is illuminated by an artificial light source from within the sign structure over any or all of its sign face.
- (2) *Externally illuminated sign*: Any sign that is partially or completely illuminated at any time by an artificial light source that directly or indirectly illuminates the face of the sign from outside the sign structure.

“*Incidental sign*” is a small sign, emblem, or decal, generally informational, which has a purpose secondary to the use of the lot on which it is located (i.e.; “no parking,” “loading only,” and other similar directives) no larger than one square foot. Such signs are normally located on doors, windows, and gas pumps, and are generally not readily visible or legible from public rights-of-way.

“*Mansard*” A steeply sloped, roof-like façade architecturally similar to a building wall.

“*Marquee*” A permanent roof-like structure or canopy of rigid materials supported by and extending from the façade of a building. A *Marquee sign*: See under “Building Sign.”

“*Monument sign*” See “Ground Sign” under “Freestanding Sign.”

“*Non-conforming sign*” shall mean any sign which does not conform to the provisions of this ordinance that was legal at the time of its erection.

“*Normal grade*” The lower portion of existing grade prior to construction, or newly established grade after construction, exclusive of any filling, berming, mounding, or excavating for the purposes of locating the sign.

“*Parcel*” shall mean a separate tax unit of real property on county real estate records. This shall also include the term “lot”.

“*Pennant*” Any lightweight plastic, fabric or similar material, with or without a message, designed to move in the wind; pennants are often suspended from a rope, wire, or string usually in series. The term “pennant” shall not include a “banner” or an “official or personal flag” as regulated in this Ordinance.

“*Person*” is an individual, firm, partnership, association, corporation, company, or organization, singular or plural, of any kind.

“*Roof sign*” See under “Building Sign.”

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

“*Stanchion sign*” shall mean a freestanding sign. See “freestanding sign”.

“*Under-canopy sign*” See under “Building Sign.”

“Vehicular sign” Any sign placed, mounted, painted on or affixed to a motor vehicle, freight, flatbed or storage trailer or other conveyance when same are placed or parked in such a manner as to be viewed or intended to be viewed from the public right(s)-of way except that this definition shall not apply when:

- (1) Such conveyances are actively being used to transport persons, goods or services in the normal course of business;
- (2) When such conveyances are parked in an inconspicuous area; or
- (3) When such conveyances are actively being used for storage of construction materials for, and on the same lot with a bona fide construction project for which building and other applicable permits have been issued and where construction is underway and provided said conveyances are located within designated storage areas.

“Wall sign” see “Building Sign”.

“Window sign” See under “Building Sign.”

Section 3 - Permits.

- (a) All signs allowed by this ordinance, except those exempted from obtaining a permit shall require a permit issued by the city prior to posting, displaying, substantially changing, or erecting a sign in the city.
- (b) Existing signs which conform to the provisions of this ordinance that would be required to obtain a permit under the regulations of this ordinance must register with the city within 90 days of the effective date of this ordinance. The information provided for registration will be the same information required in a permit application under Section 4. No permit fee will be required for the registration of existing signs.

Section 4 - Application Information.

Applications for sign permits required by this ordinance shall be filed by the sign owner or the owner’s agent with the Planning Department. The application shall describe and set forth the following:

- (a) The street address of the property upon which the sign is to be located and a plat map of the property, drawn to scale, showing all existing structures, including existing signage and which bears an indication of the proposed location of the sign.
- (b) The aggregate area for all signs on the parcel.
- (c) The name(s) and address(es) of all of the owner(s) of the real property upon which the subject sign is to be located.
- (d) Consent of the owner, or the owner’s agent, granting permission for the placement or maintenance of the sign.
- (e) Name, address, phone number of the sign contractor.
- (f) The type of sign to be erected, the area of the sign, the height of the sign, the shape of the sign, and an explanation of how the sign is to be mounted or erected.
- (g) The distance of the sign from the closest adjacent sign in either direction.
- (h) The size of the parcel on which the sign is to be placed.

Section 5 - Time for Consideration.

The City shall process all sign permit applications within 30 business days of the City’s actual receipt of a completed application and accompanying sign permit fee. The clerk shall give notice to the applicant of the decision of the City by hand delivery or by mailing a notice, by first class mail, to the address on the permit application on or before the 30th business day after the City’s receipt of the completed application and fee. 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 30 business day period, the permit shall be deemed to have been granted.

Section 6 - Denial and Revocation.

(a) Procedure

The City shall deny permits to applicants that submit applications for signs that do not comply with the provisions of this ordinance, are incomplete applications, or applications containing any false material statements. Violation of any provision of this ordinance will be grounds for terminating 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 ordinance, the Planning Department shall revoke the permit. Should the city deny a permit, the reasons for the denial are to be stated in writing and mailed by first class mail or via hand delivery to the address on the permit application on or before the 30th business day after the City's receipt of the application. Any application denied and later resubmitted shall be deemed to have been submitted on the date of re-submission, instead of the date of the original submission. No permit shall be denied or revoked, except for due cause as hereinafter defined, and the applicant is granted a public hearing before a hearing officer designated by the city. The applicant will be given ten (10) days written notice of the time, place and purpose of the hearing, with a statement of the reason for the denial of the permit application, or the revocation of a permit. "Due cause" is the violation of the provisions of this ordinance, state or federal law related to signage, or the submission of an incomplete application or an application containing false material statements.

(b) Appeal.

An individual whose permit application has been denied or a permittee whose permit has been revoked may appeal the decision of the hearing officer to the City Council upon filing of written notice of an appeal with the City Clerk within 10 business days of the hearing officer's decision. Such appeal shall be considered by the Council at the next City Council meeting held after the city's receipt of the written notice of appeal, provided that notice of appeal is received a minimum of five full business days before the meeting. If the appeal is not heard at such meeting, it shall be heard at the next regular meeting of Council thereafter. The Council shall make a final decision no later than 30 days from the date of the hearing.

(c) In the event an individual whose permit has been denied or revoked is dissatisfied with the decision of the City Council, he or she may petition for writ of certiorari to the superior court as provided by law.

Section 7 - 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 in accordance with the permit application 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.

Section 8 - Fees.

The cost of a permit per sign shall be set from time to time by City Council.

Section 9 - Prohibited Signs.

The following types of signs are prohibited throughout the city:

- a) Roof signs;
- b) Animated signs, except as specifically permitted in Section 13;
- c) Signs on public rights of way other than publicly owned or maintained signs;
- d) Window signs which exceed 30% of the window area;
- e) Signs which contain words, pictures, or statements which are obscene, as defined by the Official Code of Georgia Annotated § 16-12-80;
- f) Signs which simulate an official traffic control or warning sign or hide 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; and
- i) Signs erected by nailing, fastening or affixing the sign in any manner to any tree, post, curve, rock, utility pole, or other structure except as set forth herein.

Section 10 - Restrictions in Residential Zoning Districts.

Other than subdivision entrance signs allowed under Section 11, parcels located in residential zoning districts shall not contain signs having an aggregate sign area greater than fifteen (15) square feet. No individual sign shall exceed six (6) square feet in sign area in a residential zoning district. Signs having a height of greater than five (5) feet above the grade level of the center line of the adjacent street to which the parcel on which the sign is located shall not be located in residential zoning districts. Signs meeting the standards of this section are exempt from permitting requirements.

Section 11 - Residential Subdivision Entrance Signs.

Platted residential subdivisions consisting of more than 2 parcels may erect up to two monument signs at each entrance to the subdivision; one located on either side of the entrance road. Such sign shall not exceed a height of five (5) feet above the grade level of the center line 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.

Section 12 - Height Requirements.

The following height requirements shall be applicable to signs located in non-residential zoning districts:

- a) No stanchion sign shall exceed twenty four (24) feet in height at the highest point on the sign.
- b) Monument signs shall not exceed six (6) feet in height.
- c) All sign heights shall be measured from the grade level of the center line 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.

Section 13 - General Size and Location Requirements in Non-Residential Districts.

- a) No freestanding sign may be located within 30 feet of the intersection of street right-of-way lines extended.
- b) 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 ordinance.
- c) *Billboard signs.*
 1. Billboard signs shall not exceed six hundred and 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 and shall be oriented only towards those highways.
 4. No billboard sign shall be located within 1,000 feet of another billboard sign.
 5. No billboard sign shall be located within 500 feet of residential zoned parcels.
 6. No billboard sign shall be located within 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 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 500 foot zone is not visible from the public park, public playground, public recreation area, public forest, scenic area, or cemetery.
 7. No billboard sign shall be erected to a height in excess of thirty-eight (38) feet.
- d) *Stanchion signs.*
1. Stanchion signs for parcels exceeding three (3) acres shall not exceed a sign area of 150 square feet.
 2. Stanchion signs for parcels less than three (3) acres, but equal to or greater than 30,000 square feet shall not exceed a sign area of 90 square feet.
 3. Stanchion signs for parcels less than 30,000 square feet in size shall not exceed a sign area of 70 square feet.
 4. Stanchion signs shall only be located on property in commercial or industrial zoning areas and shall be limited to one such sign per parcel per street frontage.
- e) *Monument signs.* Monument signs shall not exceed 60 square feet of total area, which shall include signage and structure, and shall be limited to one such sign per parcel per street frontage.
- f) *Wall and Awning Signs.*
1. Wall and awning signs shall not project above the parapet wall.
 2. Wall signs shall not project beyond the building face. Awning signs shall not project beyond the building face by more than four feet.
 3. Wall and awning signs shall not exceed a sign area of 300 square feet or ten percent of the wall face of the premises to which the sign relates, whichever is less, on each street facing wall.
 4. The maximum wall or awning sign height shall be ten feet.
 5. Wall signs shall only be located on property in commercial or industrial zoning areas.
 6. Each building tenant shall be limited to one wall or awning sign on each street facing wall.
- g) *Animated signage.*
1. Animated signs may only be contained as part of a larger sign permitted under Section 13, paragraphs c), d), or e) above.
 2. The animated signage may not exceed 20% of the total sign area for a billboard, stanchion sign, or monument sign.
 3. The animated signage shall be limited to one color; i.e., a full color display is not permitted.
- h) *Maximum aggregate sign area.* Parcels may contain more than one freestanding sign, provided that:
1. Parcels exceeding three acres shall be allowed a maximum aggregate sign area of 300 square feet for the entire parcel.
 2. Parcels less than three acres but greater than 30,000 square feet shall be allowed a maximum aggregate sign area of 180 square feet for the entire parcel.
 3. Parcels less than 30,000 square feet in size shall be allowed a maximum aggregate sign area of 100 square feet for the entire parcel.
 4. These limits shall not include the area of any wall signs, window signs or billboard signs located on the parcel.
 5. These limits shall include the area of all freestanding signs on the parcel.

Section 14-Construction Standards.

- (a) All signs for which a permit is required under this ordinance shall be constructed and maintained in accordance with the provisions of the city building code.
- (b) Signs for which a permit is not required under this ordinance that are constructed of degradable material may be posted for a maximum of 60 days unless replaced with another sign of the same material. Any such replacement signs may be posted for a maximum of 60 days.

Section 15-Nonconforming Signs.

- (a) Nonconforming signs, which met all legal requirements when erected, may stay in place, provided that within 90 days of the effective date of this ordinance the owner of the non-conforming sign or the owner's agent registers the sign with the city. Such registration shall contain the information listed in Section 4(a) and shall specify the sign being registered as non-conforming and shall state that the sign was completely installed before the effective date of this ordinance. The payment of a fee is not required for the registration of a non-conforming sign; however failure to register shall be considered an offense and may be punished as any other ordinance violation.

Non-conforming signs shall be permitted until one of the following conditions occurs:

- (1) The deterioration of the sign or damage to the sign makes it a hazard or unsightly; or
 - (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; provided that signs damaged by Act of God and not due to the owner's action may be restored to their pre-damaged condition, provided that the useful life of the signs is not extended.
- (b) No structural repairs, except those permitted pursuant to Subsection (a)(2) above, changing the shape, size or design, shall be permitted except to make a non-conforming sign comply with all requirements of this ordinance.
 - (c) A non-conforming sign may not be replaced by another non-conforming sign except where changed conditions beyond the control of the owner render the sign nonconforming or warrant the sign's repair.

Section 16-Variances.

Variations shall be limited to the minimum relief necessary to overcome the hardship. No variance shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist. A variance from compliance with the sign regulations of this ordinance shall be limited to the following hardship situations:

- (a) Standards.
 - (1) Where visibility of a conforming sign from the public street and within 50 feet of the proposed sign would be substantially impaired by existing trees, plants, natural features, signs, existing buildings or structures on a different lot; and
 - (2) Placement of the sign elsewhere on the lot would not remedy the visual obstruction; and such visibility obstruction was not created by the owner of the subject property; and the variance proposed would not create a safety hazard to traffic.
- (b) Variance applications shall be submitted to the City Council and shall be heard under the same time frames and rules governing appeals under this ordinance.

Section 17-Exemptions from Permit Requirements.

- (a) The following types of signs shall be exempt from the permit requirements of Section 3 and shall not count towards the maximum aggregate sign area limits provided in Sections 10 and 13(g):
- (1) Non-illuminated signs, having a sign area of less than fifteen (15) square feet, provided they are not located in the public right of way.
 - (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 and not exceeding four (4) inches in height in residential districts and ten (10) inches in height in nonresidential districts.
 - (4) Seasonal displays located outside of the public right of way that are erected for a maximum period of thirty days no more than twice a year.
- (b) Every parcel may display no more than two (2) flags that shall not count toward the maximum aggregate sign area limits provided in Sections 10 and 13(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. 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.

Section 18-Illumination.

Illumination for signs shall not cast light on adjoining property or shine in such a manner as to cause traffic interference. Illumination shall be constant and shall not change, flash, scroll or stimulate movement.

Section 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 becomes dilapidated. 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 ordinance by any sign erected, altered, converted, or used in violation of this ordinance.
- (c) Any person violating any provision of this ordinance shall be liable for a fine of one hundred fifty dollars (\$150) for each violation. Each day a sign is posted in violation of this ordinance shall constitute a separate violation.

Section 20-Severability.

In the event any section, subsection, sentence, or word of this ordinance is declared and adjudged to be invalidated or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this article, which shall remain in full force and effect as if such portion so declared or adjudged unconstitutional were not originally part of this article. The City Council declares that it would have enacted the remaining parts of this article if it had known that such portion thereof would be declared or adjudged invalid or unconstitutional.

Section 21-Effective Date.

The effective date of this ordinance shall be Nov. 9, 2010. All ordinances and parts of ordinances in conflict herewith are hereby repealed to specifically include Title 6, Planning and Development, Chapter 5, Signs, identified as Section 6-5-1 of the City code.