

Chapter Ten **Signs**

(1) General Provisions

a. Purpose

The purposes of these sign regulations are to encourage the efficient and effective use of signs as a means of communications in the City; to balance, maintain and enhance the aesthetic environment of the City and its ability to attract sources of economic development and growth; to improve pedestrian and traffic flow and safety; to minimize the possible adverse effects of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations. These concerns are reflected by the City actively participating in and regulating the size, location and number of signs and the overall appearance and design of signs.

The following objectives are the basis for these regulations:

1. Communication – signs should not deny other persons or groups the use of sight lines on or to public rights-of-way, should not obscure important public messages or warnings, and should not overwhelm readers with too many messages.
2. Preservation of the City’s beauty – The City includes a downtown commercial center and residential areas and is these regulations are assisting beautification efforts of its active population to obtain and maintain an economic advantage in the region.
3. Property Value Protection – Signs should not create a nuisance to the occupancy or use of other properties as a result of their size, height, brightness or movement. They should be in harmony with buildings, the neighborhood, and other conforming signs in the area.

(2) Permit Required

It shall be unlawful for any person to post, display, and change or erect a non-exempt sign or any structure that requires a permit, without first having obtained a permit. Signs or sign structures erected without a valid permit shall be in violation, and it shall be mandatory to obtain a permit, based on this chapter, or failing which the sign or sign structure then shall be removed by the owner or occupant, or by the City, as provided herein. All signs not expressly allowed by these regulations are prohibited.

(3) Non-conforming Signs

Signs erected, under a valid permit, prior to **Adoption of Code**, which have since become non-conforming, shall be allowed to remain in accordance with the time limitation and structure requirements as specified in this Code.

(4) Permit Procedures

a. Permit applications

Permit applications shall be reviewed by the City Manager within 15 days of submission of the permit application. Upon satisfactory compliance with the minimum submission requirements of the Code and a determination that the proposed sign meets all applicable standards as set forth in this Code, the City Manager shall cause a sign permit to be issued to the applicant. The permit shall be valid for 180 days

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from its approval, during which period the sign maybe be erected. Permits shall be required for all signs not listed within this code as either exempt or prohibited.

b. Application Form

Permits for all lawful signs shall be on a form developed and provided by the City Manager.

c. Application Information

The application form and corresponding submission materials shall include, at a minimum, the following:

1. The type of sign and/or sign structure as described in this Code.
2. The street address of the property on which the sign and/or sign structure is to be located along with identification of where on the specific property the sign will be located.
3. The area per sign face and the aggregate area of the sign and/or sign structure.
4. The name of the owner or other person in control or possession of the real property on which the sign and/or sign structure is to be located.
5. Written consent of the owner, or his designated agent, granting permission for the construction, operation, maintenance, or display of the sign and/or sign structure.
6. Two copies of a detailed drawing (CAD), blueprint, sketch, blue line print or similar presentation, drawn to scale and dimensioned, showing elevations of the sign as proposed and its relationship to other existing and proposed signs or sign structures in the area. In the case of a freestanding sign, the drawing shall include a sketch site plan showing the location of the sign and the immediately surrounding landscape.
7. Signs in excess of 10 feet in height need to be signed and sealed by a Georgia registered engineer.
8. State GDOT permit if sign location is adjacent to a State or Federal Hwy.

(5) Aesthetic Qualifications

- a. The overall effect of the lettering, configuration or color of a sign shall not be too bright, gaudy, showy, glaring, and/or cheaply brilliant or involving excessive ornamentation. These signs are not in harmony with and are not compatible with the building or adjacent surroundings.
- b. The scale of the sign in terms of area shall be consistent with the scale of the building on which it is to be placed or painted and the neighborhood or streetscape where it is located. Scale shall also be considered in terms of site design standards as described in this Code with respect to height and area.
- c. All signs shall be of a professional quality and have a professional appearance that enhances the visual aesthetics of the area.

(6) Types of Signs Permitted

a. Freestanding/ Ground Sign:

A ground sign shall not be affixed to any structure and is limited to no more than two faces.

1. All freestanding signs shall be wood or composite material supported by one or two wood or composite posts, with the top edge of the sign no more than 20 feet above the finished grade and shall contain post caps or covers.
2. All monument signs shall be no higher than they are wide, composed of textured brick, concrete block, or other masonry, and finished with stucco or other textured material. The top edge of the sign shall be no higher than ten feet above the finished grade, or as specified otherwise in this code.
3. All freestanding/ground signs shall have a landscaped area around the base which extends a minimum distance of three feet in all directions. Such landscape area shall be completely covered by natural drought tolerant ground cover and shrubs, hedges or similar vegetative materials.

b. Projecting Sign:

A projecting sign is affixed to a structure and extends at a right angle from the structure and is limited to no more than two faces.

1. A projecting sign must clear sidewalks by at least nine feet, clear vehicular driveways by at least 14 feet, and be no closer than two feet from the curb.
2. Signs must not project more than six feet from the wall face of a building.
3. All businesses in the Downtown District are encouraged to have a projecting sign. On state highways are not permitted without a GDOT permit.

c. Under Canopy Sign:

A sign may hang from a canopy or ceiling of an arcade covered walkway. It may be rigid or may swing. The swinging sign must be removed during a storm event. Such sign is limited to not more than two faces and shall not extend beyond the face of the canopy to which it is attached.

d. Wall Sign:

A wall sign may be flush mounted or hand painted. Such a sign may be applied to a canopy/awning, mansard or building face. A wall sign may not extend more than 18 inches from the wall or façade of the building to which it is attached and shall not extend more than 24 inches above the roof or parapet of a building.

e. Off-premise Sign and Billboard:

1. Off-premise signs and billboards shall not be erected except on property located adjacent to State or Federal highways and which is zoned Industrial or Commercial General.

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2. Off-premise signs and billboards shall not exceed a size of 100 square feet per sign face and shall be limited to not more than two faces and shall be one continuous sign face on each side.
3. Off-premise signs and billboards shall not be located closer than 300 feet to any residentially zoned land or an approved residential Planned Development, nor less than 1,000 feet from each other (on the same or opposite sides of a road), with such measurement to be made from the point of location of the sign structure to the nearest point of residentially zoned land or to the nearest point of location of the next sign structure, as applicable.
4. Off-premise signs designed to serve properties without direct frontage on a public road, exclusive of easements for ingress and egress, shall be subject to the zoning regulations of the applicable district in which the sign is located.
5. Prior to the issuance of a permit for such an off-premise sign, the applicant shall furnish a certified copy of the recorded ingress/egress easement upon which the site shall be placed.
6. No Off-premise sign or billboard face shall exceed 20 feet in width or 6 feet in height, with the overall height of the sign and structure not to exceed 20 feet.
7. Shall be located a minimum of 25 feet from any street right-of-way or property line.

(7) Sign Area and Height

- a. Sign Area. The sign area shall be expressed in square feet or square inches that are allowed in accordance with this Code for each sign face. The sign face includes any background material, panel, trim, color and direct or self-illumination used that differentiates the sign from the building, structure, backdrop surface, or object upon which or against which, it is placed. When there is no such differentiation, the sign face shall be a rectangle just large enough to enclose all lettering, illustrations, ornamentation, symbols, or logos. A sign structure shall not be computed in sign area provided that no message, symbol, or any of the aforementioned is displayed on, or designed a part of, the sign structure.
- b. Sign Height. The vertical distance measured from the highest point of the sign to the finished grade at the base of the sign, where the finished grade is defined as the grade adjacent to the sign, not including any artificial berm or swale.

(8) Setback

The setback for a ground sign shall be a minimum of ten feet from the property line. The setback is measured from the closest portion of the sign, sign structure or sign footer to the property line. No sign, sign structure on sign footer shall extend into the right-of-way. Relief from the ten foot setback requirements up to five feet may be obtained by administrative variance, for good cause shown, which causes may include, but are not limited to sign encroachment into required parking, provision for additional landscape area and materials, a smaller sign, and less than permitted total signage.

(9) Location, Safety, Illumination and Design Requirements and Restrictions

- a. Whenever a sign requires a permit and is allowed within a setback area or easement, the person erecting the sign shall be required to execute an agreement, which shall be countersigned by the property owner, providing that it is the obligation of the owner of the sign and/or the property owner to relocate the sign at

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such time that the City determines that additional right-of-way or setback is required, or if conflicts occur with it being located in an easement.

b. A sign shall not be located in such a manner as to obscure another sign or to be obscured by an existing sign, a structure, or existing vegetation, unless provisions are made for the removal of the obscuring sign, structure or vegetation.

c. No sign shall be located in such a manner that it is a hazard to automotive or pedestrian traffic nor shall any sign or lighting of a sign be so placed as to obstruct the vision of the driver of any motor vehicle where vision is necessary for safety.

d. The height of a sign within an intersection sight triangle shall be consistent with the recommendations of the “Geometric Design of Highways and Streets Manual”.

e. Signs may be illuminated directly or indirectly unless specifically prohibited elsewhere in the Code. In residential zoning districts, all illumination shall be “cut off luminaries” or equivalent so that the light is not directed toward adjacent residentially zoned property. Illumination of monument or free-standing signs shall be external and directed from the ground via “plighting” or from behind individual letters via “backlighting”. Illumination of signs shall exclude exposed neon tube lighting, or similar, and electronic changeable copy, unless permitted elsewhere in this Code.

f. A sign shall not involve or contain intermittent lighting, animation, motion or rotation of any part of a sign or sign structure or display; except for governmental traffic signals, traffic devices and traffic signs, as required by law.

g. A sign shall not produce noise or sounds.

h. A sign shall not produce or emit smoke, vapor, particles or odor.

i. Only two types of signs of either wall, monument and freestanding signs shall be permitted per street frontage per property.

j. Each separate building or location shall have the street number address located on a sign that is identifiable and readable (using normal 20/20 vision) from the adjacent roadway.

(10) Design Standard Matrix

Table 10-1 Design Standard Matrix

Signs in Residential Districts					
Type of Sign	Quantity	Max Area	Location	Max Height	Illumination
Nameplates	1 per dwelling unit	3 sq.ft	On building face	-	Not allowed
Wall or Ground Sign	1 per entrance to subdivision, farm or ranch	32 sq.ft.	entrance	6 feet	Allowed
Directional Sign	As needed	6 sq. ft	10 ft front yard setback	-	Not Allowed

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Signs in Downtown Commercial District					
Type of Sign	Quantity	Max Area	Location	Max Height	Illumination
Wall	1 per Occupant	24 sq. ft	On building face	-	Allowed
Projecting	1 per business (max 4 sq.ft per face)	0.5 sq.ft per linear foot of building	From building	-	Allowed
Under Canopy	1 per business	4 sq. ft per face	Under canopy	-	Allowed
Monument	1 per road frontage	24 sq. ft per face	10 ft front yard setback	10 feet	Allowed
Freestanding/Ground	1 per road frontage	24 sq. ft per face	10 ft front yard setback	10 feet	Allowed
Directory	1 per building	16 sq. ft	On building face	-	Allowed
Name Plates	1 per business	3 sq. ft	At the entrance of the business	-	Not Allowed
Directional	As needed	6 sq. ft	10 ft front yard setback	-	Not Allowed

Signs in Commercial and Industrial Districts					
Type of Sign	Quantity	Max Area	Location	Max Height	Illumination
Wall	2 per occupant	1.5 sq.ft for first 25 linear feet of occupancy; then 1 sq.ft. per linear foot over 25 linear feet of occupancy (up to a max. 100 sq.ft per occupancy)	Building face	-	Allowed
Projecting	1 per road frontage per occupant	0.5 sq.ft per linear foot of building; max 16 sq.ft. per face	From building	-	Allowed
Under Canopy	1 per road frontage per occupant	4 sq.ft. per face	Under canopy	-	Allowed
Monument	1 per road	1 sq.ft per linear foot	10 ft front	10 feet	Allowed

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	frontage	of road frontage up to a max of 100 sq.ft. with a minimum of 300 ft separation	yard setback		
Freestanding/ Ground	1 per road frontage	1 sq.ft per linear foot of road frontage up to a max of 100 sq.ft. with a minimum of 100 feet separation	10 ft front yard setback	20 feet	Allowed
Directory	1 per building	24 sq.ft.	Building face	-	Allowed
Tenant	1 per business	2 sq.ft	At the entrance of the business	-	Allowed
Billboard	1000 ft separation in all directions and 300 ft from residential zoning	100 sq.ft. per sign face with 2 face max per sign. Only single stack billboards are allowed.	20 feet from road right-of-way	20 feet	Allowed
Directional Sign	As needed	6 sq. ft	10 ft front yard setback	-	Not Allowed

(11) Special Purpose Signs

a. Gas Station Fuel Pricing Signs

1. One Fuel Pricing sign shall be permitted per road frontage with a maximum of two signs per Gas Station. It shall be affixed to a permanent sign structure or to a building and shall not be located closer than 10 feet to any property line. The price sign shall be included in the total areas of signage otherwise permitted.
2. Prohibited lighting for electronic fuel price signs shall include: lamps or bulbs in excess of 30 watts; exposed reflectorized lamps or bulbs; lamps or bulbs that are not covered by a lens, filter or sunscreen; and lamps or bulbs that scroll, flash, zoom, twinkle or sparkle.
3. No more than 12 square feet per sign face.
4. If part of a ground sign, the fuel price sign shall be included in the total area of the sign.
5. Signs placed on fuel pumps shall not exceed three square feet per sign face and a total of six square feet per sign.

b. Grand Opening Banner

One banner may be placed on the building of a newly opened location pursuant to the following:

1. Display is limited to four weeks.

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2. The banner shall not exceed one square foot per linear frontage of occupancy, up to a total of 50 square feet.
3. The banner shall not be higher than 15 feet above finished grade, and must be placed on the building on the dominant street front.
4. Banners shall be made of color fast material, and shall be securely fastened so as not to become a safety hazard.

c. Drive-Through Window Signs

Signs used at locations in conjunction with service at a drive-through window may be permitted as long as the size of the menu board does not exceed seven feet in height or 24 square feet in size. A maximum of two signs per drive-through window is allowed.

d. Special Event Banner Signs Not Spanning Roadways

Special banner signs for special events, in accordance with this section may be permitted by the City Manager if it is determined that the sign meets the following criteria:

1. The sign provides notice to the general public of a public meeting or other public event; and
2. The sign shall be temporary, for a limited period of no more than 14 days prior to the advertised event and it must be removed no later than the second day after the event.
3. Each sign shall be limited to 20 square feet in area.
4. The sign will not conceal or obstruct adjacent land uses or signs.
5. The sign will not conflict with the principal permitted uses of the site or adjoining sites.
6. The sign will not interfere with, or obstruct the vision of, or distract, motorists, bicyclists or pedestrians.
7. The sign will be installed and maintained in a safe manner.
8. The approval or disapproval of such sign shall not be based on the content of the message contained in the sign.
9. The City Manager shall render a decision within 10 days after an application is made for this type of sign for a special event. Such a decision shall be deemed an administrative decision and any person adversely affected has the right to appeal the decision to the City Manager in writing within 10 days of the written rendering of the decision by the City Manager.

e. Subdivision Identification/Entrance Signs

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Residential subdivision identification/entrance signs shall be located only at the entrance to the subdivision and subject to the following standards:

1. Such signs may either be one double faced sign or two signs where there are two walls at the entrance and where the signs are permanently affixed to the walls at each entrance of the subdivision.
2. Each sign area shall be no greater than 36 square feet in area.
3. Such subdivision entrance signs are permitted in all residential zoning districts.
4. Such subdivision entrance sign may be erected within rights-of-way or median strips adjacent to the subdivision if approved by the City Manager. A subdivision entrance sign may also be located within the setbacks of private property within the subdivision or adjacent to the subdivision.
5. Any such sign erected within a right-of-way or setback shall be at least ten feet from a paved roadway and signs located within a median shall be at least five feet from any pavement.
6. Any such signs approved by the City Manager for location within the right-of-way or median, if such right-of-way or median is not within the jurisdiction of the City, shall obtain written permission from the governmental entity controlling the right-of-way or median to erect the sign in the requested location.
7. Any signs proposed to be located on adjacent private property shall be approved and permitted by the owners of the adjacent property. Any such signs lying on private property shall be considered an additional permitted sign without regard to other applicable sections of this Code.

f. Construction Signs

Temporary construction signs identifying where an approved active on-site development project is underway, provided that such signs meets the following criteria:

1. One temporary free-standing sign per road frontage, non-illuminated, with a sign area of not more than 32 square feet and not more than seven feet in height; or
2. One temporary wall sign per street frontage, which shall have a non-illuminated sign area of no more than 32 square feet.
3. All major development projects shall be allowed to install a construction fence with a temporary six-foot chain link fence with obscure fabric that may include graphics depicting the development project, or other visual barrier material around the site prior to the initiation of the construction phase.
4. Signs approved in Planned Developments (PD) projects are additionally subject to any conditions specified in the Planned Development Agreement.
5. Construction signs may be installed at the time of submission of a building permit application. It must be removed upon expiration of the building permit or building permit application or when the project obtains certificate of occupancy.

g. Awning Signs

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1. No portion of any sign projecting over a public sidewalk shall be less than nine feet above the grade of the sidewalk, with the exception of awning valances which shall not be less than eight feet above the sidewalk.
2. Signs consisting of one line of letters not exceeding nine inches in height may be painted, placed or installed upon the hanging border only of any awning erected and maintained in accordance with this Code. Any identification emblem, insignia initial or other similar feature not exceeding an area of eight square feet, may be painted, placed or installed elsewhere on any awning provided that any sign, insignia or other such similar item shall comply with all other provisions of this Code.

h. Window Signs

1. Plastic signs or signs painted on the glass may be placed upon windows when limited to 20 percent of the aggregate glass area, per tenant space or main use space.
2. Signs displayed from the inside of the glass, but which are visible from the outside shall be considered window signs.

i. Time and Temperature Signs

Signs giving time and temperature information shall be permitted when attached to or made part of an otherwise permitted sign. Such signs shall not be larger than 20 percent of the permitted area of the sign to which they are attached. Such signs shall be counted as part of the permitted area of the sign to which they are attached.

j. Manual Changeable Copy Signs:

Changeable copy information signs shall be permitted when attached to or made part of an otherwise permitted monument sign. Such signs shall be limited to two manual changeable copy message signs per parcel and shall be counted as part of the permitted sign area of the sign to which it is attached. The changeable copy element of the sign shall not exceed 50% of the total sign area.

k. Changeable Copy Marquee Event Signs for theatres, auditoriums, convention centers, sports fields and arenas, and regional attraction facilities:

1. Content: the name, logo, address of the field or building and occupant to which the sign is accessory and other information pertinent to on-site events and performances.
2. Maximum total area of changeable copy event signage shall be pursuant the zoning district regulations in Table 5.1 of Chapter Five
3. Each individual location or business shall not have more than two manual or electronic message sign faces.
4. Maximum height of changeable copy event signage shall be pursuant the zoning district regulations in Table 5.1 of Chapter Five.
5. Monument event signs shall not be closer than 10 feet to any property line.

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6. Prohibited lighting includes lamps or bulbs in excess of 30 watts; exposed reflectorized lamps or bulbs; lamps or bulbs not covered by a lens, filter, louver or sun screen; modes of operation that scroll, flash, zoom, twinkle, or sparkle.

l. Landmark or Historic Signs

Approval of the restoration, rehabilitation, or reconstruction of landmark or historic signs shall be based upon documentation of at least 25 year's prior existence and shall have existed as a character-defining feature of a landmark or historic building and/or historic event. Any landmark sign is subject to the final approval by the City Manager.

1. Landmark signs shall be classified as legal signs and shall be permitted to be maintained and repaired.
2. Landmark signs shall maintain not greater than the historic square footage dimensions.
3. Landmark signs placement shall leave street corners free of obstructions to allow for safe movement of traffic and placement of utilities.
4. Landmark signs shall be exempt from dimensional, height and area requirements of this section.

m. Mural Signs:

Mural signs shall be painted only on the side or rear walls of a building, and shall be of such a design as to compliment the architectural style of the subject building and shall be in keeping with the general character of the zoning district. There shall be a maximum of only one mural sign per building.

(12) Exempt Signs (not requiring a permit)

a. Sidewalk Signs

Use of sidewalk signs, not exceeding two square feet per face, for uses in the Downtown Development District, shall be allowed, on the sidewalk portion of the public right-of-way, subject to meeting the following criteria:

1. Valet parking signs. The location of such a sign must be approved by the City Manager and the Police Chief. The sign must be removed during hours when the approved valet parking queue is not in use. Plain, unmarked traffic control cones may be used for queuing purposes, but must be removed when the valet parking queue is not in use.
2. Ground floor uses only may have one sidewalk sign immediately adjacent to the building they occupy in areas where the sidewalk is not less than four feet in width, after the sign is placed, and subject to review and approval by the City Manager. All such signs must be removed when the use is not open.
3. In the event that a sidewalk sign does not strictly conform to any of the above requirements, it may be removed from the public right-of-way by the City, and held by the City until the owner of the sign shall pay a fine to the City as follows: first offense = \$25.00, second offense = \$50.00, third and any additional offenses \$100.00 each.

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b. Automated Teller Machine (ATM) Panels

c. Directional Signs, with a maximum height of five feet and six square feet sign area.

d. Flags

Flags may be displayed on any real property in the City in accordance with the following rules:

1. One United States national and two additional flags may be flown on any individual parcel of property. The United States national flag may be any United States national flag officially approved by Congress. The additional flag or flags shall not be greater in area or in vertical or horizontal dimension than the United States flag.

2. A flag pole shall not exceed 50 feet in height. Not more than two flags may be flown on such a single pole. Three flags may be flown from a single pole with a yard arm designed for such purpose. The maximum area of each flag shall be determined by the height of the flag pole.

e. Hours of Operation Signs with a maximum area of one square foot.

f. Traffic or other municipal signs, legal notices, danger signs, such as “no trespassing”, “danger”, and such temporary emergency or non-advertising signs as may be approved by the Chief of Police.

g. Residential and Professional Name Plates, one per building with a maximum area of two square feet.

h. Real Estate Signs – one sign per parcel, establishment, dwelling unit, shall not be illuminated and removed within 10 days after the transaction is completed.

i. Temporary Signs denoting the architect, engineer, contractor, lending agency or subcontractor on the premises of work under construction, no more than 16 square feet in area.

j. Tenant Panels

k. Temporary Political Signs shall be removed within 10 days after the date of the election.

l. Bulletin Boards and directories for public, non-profit or religious facilities, located on the premises of the facility and not exceeding 12 square feet in area, attached to the building.

m. Memorial Signs or Tablets.

n. Signs not visible from the street, such as inside a building or backyard.

o. Signs erected by the City on public right-of-way.

p. Seasonal displays or decorations not advertising a product, service or establishment.

q. Garage Sale Signs

r. Non-illuminated religious emblems

(13) Prohibited Signs

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The following signs, or sign features, are prohibited within the City of Folkston. However, certain exceptions as noted here are allowed. It shall be unlawful for any persons to erect prohibited signs or use prohibited sign features. Further, any sign not expressly permitted or provided for in this Code, is also prohibited.

a. Banners and Wind Signs other than special event banners as described in (11)d.

b. Off-Premises Signs, other than single billboards.

c. Double or triple stacked billboards.

d. Roof Signs – A sign erected on the roof, or above the roof, or on the parapet.

e. Snipe Signs

f. Signs causing traffic confusion.

This would be a sign or other advertising matter erected at any intersection or street right-of-way in a manner obstructing free and clear vision; or at any location where, by any reason of position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, a traffic signal, or traffic device, or which makes use of the words “stop”, “look”, “drive-in”, “danger” or any other word, phrase, symbol, or character in a manner as to interfere with, mislead, or confuse vehicular traffic.

g. Vehicular Signs (Portable or Trailer Signs)

Signs placed on vehicles or trailers that are parked in the street, public right-of-way or private property for the primary purpose of displaying the sign for advertising a commercial enterprise.

h. Private signs in public right-of-way

i. Signs attached to trees, shrubs, or plants.

(14) Removal and Disposition of Signs

It shall be unlawful to erect, use or maintain a sign or sign structure when it does not comply with the requirements of this Code. The City is authorized to remove unlawful signs and sign structures pursuant to the provisions of this Code. Unauthorized signs are subject to removal pursuant to the following provisions:

a. Temporary Signs

The City finds that, in view of the inexpensive nature of these signs and the administrative burden which would be imposed by elaborate procedural prerequisites prior to removal, any procedure other than summary removal of these signs when unlawfully erected and maintained would defeat the purpose of regulating such signs. The City Manager, or designee, or any code enforcement officer, is hereby authorized to remove such signs when unlawfully erected and maintained, subject to the provisions contained herein. After removal of a sign pursuant to this section, and in addition to any notice of violation, citation or summons issued, a notice will be sent, either by hand delivery or by first-class mail to the occupant of the property from which the sign was removed, or if the sign identifies a party other than the occupant of the property, the party so identified. The notice shall advise that the sign has been

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removed and shall state that the sign may be retrieved within 30 days of the date of the notice upon payment of the fee established therefore, and that, if the sign is not retrieved within 30 days, it will be disposed by the City.

b. Permanent Signs

Signs and sign structures not subject to removal pursuant to the provisions above, which are or have been erected or maintained unlawfully, are subject to all remedies available at law or equity to it to remove signs or sign structures which are or have been unlawfully erected or maintained.

c. Unsafe Signs

Notwithstanding the provisions above, any sign which is declared to be a unsafe sign by the City Manager, shall be removed or made to conform to the current Building Code immediately, upon notice, by the City Manager.

d. Responsibility of Maintenance; Abandoned Signs

1. All signs shall be properly maintained. Exposed surfaces shall be cleaned and painted, if paint is required. Defective or damaged parts shall be replaced.
2. If any sign regulated in this section is found to be abandoned or the business advertised has moved from the property where the sign is located, the owner, agent or responsible person shall be responsible to remove the sign, cover the sign with a plain fabric cover or place a blank copy panel in the sign frame within 30 days of the abandonment or relocation of the business.
3. Upon the failure, neglect or refusal of any owner, agent, or responsible person to remove or repair any sign in violation of the provisions of this Code, within 30 days after written notification by the City Manager, the City is hereby authorized and empowered to effect the removal of the sign which is in violation.

e. Responsibility for Cost of Repair or Removal; Lien Right

When the City has affected the repair or removal of a sign or has paid for the repair or removal of the sign, the actual cost of the action, plus an administrative charge, shall be charged to the owner of the property. The charge shall be due and payable to the City within 30 days following written notice, given to the property owner, of the amount due. If the amount is not paid by the property owner, then such amount due to the City shall become a lien upon the property of the owner, and the City Manager may cause the filing of such lien with the Clerk of the Court.

(15) Amortization of Non-Conforming Signs

- a. All lawfully existing signs or sign structures on **Date of Adoption of code**, which are not otherwise permitted herein (non-conforming), shall be allowed to remain operational including change of copy, and may be repaired, but not replaced, for five years following their installation date, which in no event shall be later than February 28, 2016, at which time the sign or sign structure be removed, replaced or modified to comply with then-current sign requirements.
- b. Any non-conforming off-premise or billboard sign constructed prior to **Date of Adoption of code**, shall be brought into compliance with the provisions of this section by **Date of Adoption of code**. The existence of an off-premise sign or billboard that does not comply with the provisions of this Code shall be deemed a violation of this Code.

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c. The City Manager shall be responsible for notifying the owner of each existing non-conforming sign of this provision and the expected removal date.

(16) Procedure for Permit Denial

Permit applications may be denied for the following reasons:

- a. The application for the permit is not complete or executed.
- b. The application is not accompanied by the required application fee.
- c. The applicant has not complied or cannot comply with the applicable licensing requirements, Codes or ordinances of the City.

(17) Permit Denials, Appeals and Notice

If a permit is denied, written notice of such denial shall be given to the applicant within 5 days of the decision. The applicant may appeal the decision to the City Council by giving written notice thereof, specifying grounds for the appeal within 30 days of the decision, to the City Clerk, who shall, upon receipt of the notice of appeal, cause the same to be placed upon the Council agenda for public hearing.