

CITY OF LAGRANGE, GEORGIA  
REGULAR MEETING OF THE MAYOR AND COUNCIL

June 26, 2018

Present: Mayor Jim Thornton; Council Members Jim Arrington, Nathan Gaskin, Willie Edmondson, Tom Gore, LeGree McCamey, and Mark Mitchell

Also Present: City Manager Meg Kelsey; Assistant City Manager Teresa Taylor; City Attorney Jeff Todd; Director of Community Development Alton West; Communications Manager Katie Van Schoor

The meeting was called to order by Mayor Thornton, the invocation was given by Reverend Aaron McCollough of the Troup County Baptist Association and Henry Huberdeau of Boy Scouts Troup 21 led the Pledge of Allegiance to the Flag.

On a motion by Mr. McCamey seconded by Mr. Edmondson, Council unanimously approved the minutes of the regular Council meeting held on June 12, 2018.

Mayor Thornton presented a 25 year service award to Brenda Leverett, Accounting Specialist in the Finance Department. Mayor Thornton expressed the gratitude of the Mayor and Council for Ms. Leverette's service to the City of LaGrange. No action was taken.

Mr. Bobby Traylor, former council member, appeared before the Mayor and Council to express his concern about how the new sign ordinance would restrict the use a changing sign for Traylor's Pawn Shop located at 504 Greenville Street. Ms. Kelsey clarified that the property in question is currently zoned C-1, Neighborhood Commercial and doesn't allow for changing signs. In order to have a changing sign, the location would need to be rezoned to C-3, general commercial. The new sign ordinance would restrict the changing sign to freestanding pole.

Mr. Ricky Wolfe, Executive Director of DASH appeared before the Council and gave a brief overview of the impacts of the DASH organization. Mr. Wolfe thanked the Council for their strong support for the organization. No action was taken.

Council heard a first reading of the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CHARTER OF THE CITY; TO AMEND THE CHARTER SO AS TO CREATE AND DESIGNATE THE RESPONSIBILITIES OF THE OFFICE OF CITY CLERK; TO REPEAL CONFLICTING PROVISIONS; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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Council heard a first reading of the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE CITY CODE SO AS TO DESIGNATE CERTAIN RESPONSIBILITIES TO THE OFFICE OF CITY CLERK; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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On a motion by Mr. Gaskin seconded by Mr. Arrington, Council unanimously adopted the following ordinance:

AN ORDINANCE

TO PROVIDE FOR THE ADOPTION OF A BUDGET CONTAINING ESTIMATES OF PROPOSED REVENUES AND EXPENDITURES FOR THE CITY OF LAGRANGE FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019; TO PROVIDE FOR SEPARABILITY; TO FIX AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

For the expenses of the City Government and its activities for the 12-month period beginning July 1, 2018 and ending June 30, 2019, the amounts contained in the General Fund, Utilities Fund, General Capital Improvements Fund, Electric Fund, Water and Sewer Fund, Telecommunications Fund, Gas Fund, Sanitation Fund and Community Development Fund as shown in the Budget for the City of LaGrange, dated July 1, 2018 are hereby adopted and appropriated for the departments and activities of the City shown therein.

SECTION 2:

A copy of the Budget, dated July 1, 2018, is on file in the office of the City Manager of the City of LaGrange and is by this reference incorporated in and made a part of this Ordinance.

SECTION 3:

If any part of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The Mayor and Council of LaGrange hereby declare that it would have passed the remaining portion of this Ordinance had it known such part or parts would be adjudged invalid or unconstitutional.

SECTION 4:

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 5:

This Ordinance after its adoption and upon approval by the Mayor shall become effective on July 1, 2018.

INTRODUCED AND FIRST READING \_\_\_\_\_ June 12, 2018

SECOND READING AND ADOPTED \_\_\_\_\_ June 26, 2018

SUBMITTED TO MAYOR AND APPROVED \_\_\_\_\_ June 26, 2018

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Teresa Taylor, Assistant City Manager

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On a motion by Mr. Edmondson seconded by Mr. McCamey, Council unanimously adopted the following ordinance:

AN ORDINANCE

TO LEVY AN AD VALOREM TAX FOR THE CITY OF LAGRANGE FOR CALENDAR YEAR 2018; TO PROVIDE FOR SEPARABILITY; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE ORDAIN AS FOLLOWS:

SECTION 1:

The millage rate necessary to produce revenue from taxation of tangible real and personal property in the City of LaGrange which, when combined with other revenues reasonably expected to be received by the City during the year, other than revenues derived from the tax imposed pursuant to this Section and which would provide revenues sufficient to defray the expenses of the City for the year is computed as follows:

(a) For the purpose of raising revenue to pay the cost of the general government, ordinary expenses and for other purposes authorized by the Constitution and laws of the State of Georgia \_\_\_\_\_ 5.11 Mills

The millage rate of 5.11 as thus ascertained is then reduced by 5.11 mills, the millage rate which, if levied against the tangible property within the City of LaGrange, would produce an amount equal to the distribution of the proceeds of the tax imposed by the join County and Municipal Sales and Use Tax for the twelve-month period. Applying the reduction of the millage rate to the millage rate necessary to produce the total revenue results in the millage rate for the calendar year 2018 of -0-.

SECTION 2:

If any part of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The Mayor and Council of the City of LaGrange hereby declares that it would have passed the remaining portion of this ordinance had it known such part or parts would be adjudged invalid, or unconstitutional.

SECTION 3:

All ordinances or parts of ordinances in conflict herewith are repealed.

SECTION 4:

This ordinance after its adoption and upon approval by the Mayor of LaGrange shall become effective on July 1, 2018.

INTRODUCED AND FIRST READING \_\_\_\_\_ June 12, 2018

SECOND READING AND ADOPTED \_\_\_\_\_ June 26, 2018

SUBMITTED TO MAYOR AND APPROVED \_\_\_\_\_ June 26, 2018

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Teresa Taylor, Assistant City Manager

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On a motion by Mr. Edmondson seconded by Mr. McCamey, Council adopted the following ordinance with Mr. Arrington, Mr. Edmondson, Mr. Gaskin and Mr. McCamey voting in favor and Mr. Gore and Mr. Mitchell voting in in opposition.

### **AN ORDINANCE**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA TO AMEND THE CODE OF THE CITY; TO AMEND THE CODE BY DELETING THEREFROM CHAPTER 25-10, THE "SIGN ORDINANCE"; TO ADOPT A NEW "SIGN ORDINANCE" WHICH PROVIDES FOR AUTHORIZATION AND INTENT, FOR REGULATIONS, DEFINITIONS, EXEMPTIONS, AND FOR PROHIBITED, ABANDONED, AND NONCONFORMING SIGNS; TO ESTABLISH GENERAL SIGN REQUIREMENTS AND SPECIFIC SIGN REQUIREMENTS BY ZONING DISTRICTS WITHIN IN THE CITY; TO PROVIDE FOR ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE; TO PROVIDE VIOLATIONS AND PENALTIES; TO PROVIDE FOR SEPARABILITY; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA HEREBY ORDAIN AS FOLLOWS:

#### **SECTION 1:**

Chapter 25-10 known and cited as the "Sign Ordinance" be and the same is hereby repealed in its entirety and a new Chapter 25-10 adopted in lieu thereof to read as follows:

#### **"Chapter 25-10: SIGNS**

##### **Section 25-10-1. Short title.**

This chapter shall be known and cited as the "Sign Ordinance."

##### **Section 25-10-2. Authorization and intent.**

The public has a legitimate interest and concern in the construction, maintenance, and regulation of outdoor advertising within the city and it is therefore desirable to describe the manner of construction, compel the use of safe materials, limit size, height, and location with reference to streets; require clean and sanitary maintenance; and prohibit illegal advertisement pursuant to and in the exercise of the public health, safety and welfare powers of the city. It is the intent of the mayor and council to provide hereby the basis for regulation of such outdoor advertising consistent with the foregoing purposes and thereby regulate such advertising affixed to real property which is visible from any public right-of-way in order to promote public health, safety, traffic safety, welfare, and to protect aesthetic values and qualities in the city. The mayor and council so act, finding and understanding that signs provide an important medium through which individuals may convey a variety of messages, but that left completely unregulated, signs may also become a threat to public safety as a traffic hazard and detriment to property values and the city's overall public welfare as an aesthetic nuisance. By enacting this ordinance, the mayor and council intend to balance the rights of individuals to convey messages through signs and the rights of the public to be protected against the unrestricted proliferation of signs.

##### **Sec. 25-10-3. Application of regulations.**

(a) The requirements of this chapter shall govern all signs located within the corporate limits of the city that may be viewed from a public right-of-way, private streets or adjacent

property, except as otherwise exempt under this chapter. The provisions of this chapter do not apply to any sign not visible from public or private thoroughfares or adjacent properties.

(b) Any area which is annexed into or incorporated within the corporate limits of the city shall, on the effective date of annexation, be subject to all provisions of this chapter. Any such annexed area shall be subject to and be governed by the signage requirements of the use zone within the city which is specified in the ordinance adopted by the mayor and council.

(c) The requirements of this chapter shall not apply to canopies, awnings, and marquees that are regulated under sections 25-5-2 and 25-5-3 of the Code of the City of LaGrange, provided such canopies, awnings, and marquees are not used for advertising purposes.

**Sec. 25-10-4 - - 25-10-9. Reserved.**

**Sec. 25-10-10. Definitions.**

(a) *General interpretation.* Except as specifically described herein, all words shall have their customary dictionary meanings. Words used in the present tense include the future tense, and words used in the future tense include the present. Words used in the singular number include the plural, and words used in the plural include the singular. The word "person" includes a firm, corporation, association, organization, trust, or partnership. The word "building" includes "structure". The word "may" is permissive, while the word "shall" is always mandatory. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designated to be used or occupied". Doubt as to the precise meaning of any word used in this ordinance shall be resolved by the board of planning and zoning appeals of the city.

(b) *Specific definitions.*

*Abandoned sign.* Cessation for a period of six months of the use of a sign by either the owner of the sign or the occupant of the property on which the sign is placed, or through the removal or relocation of the previous occupant of the property, or a sign that has ceased to be used for a period of six months through the removal of its copy or the deterioration of its copy through lack of maintenance, but excluding temporary or short-term period of remodeling, refurbishment or maintenance of the sign.

*Accessory use.* A sign use which is authorized by virtue of a business operation on a particular site, which shall not require, by implication or otherwise, that the content of any such sign be in any way connected to said business operation.

*Animated sign.* Any sign which all or any part thereof visibly moves, imitates movement, or changes appearance in any fashion whatsoever. For purpose of this chapter, the transition of a message on a changing sign shall not be considered "animation."

*Banner.* Any sign of lightweight fabric or similar material that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.

*Beacon.* Any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same lot as the light source; also, any light with one (1) or more beams that rotate or move.

*Building nameplate.* A small plaque, usually made of metal or wood, affixed flush to an exterior wall near the main entrance to a building.

*Building official.* The building official of the city, as created under section 25-1-3 of the Code of the City of LaGrange.

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

1. Awning sign: A sign imposed, mounted or painted upon an awning.
2. Canopy sign: A sign affixed to, superimposed upon, or painted on any canopy, such that the sign is mounted in such a manner that a continuous face with the canopy is formed.
3. Mansard sign: A sign imposed, mounted or painted upon a mansard and not extending above the top of the mansard.
4. Marquee sign: Any sign painted on or attached flat to the face of a marquee.
5. Parapet sign: A sign imposed, mounted or painted on a parapet and not extending above the top of the parapet.
6. Projecting sign: A sign affixed perpendicularly to a wall and extending more than 18 inches horizontally from the surface of such wall.
7. Under-canopy sign: A sign attached to the underside of a marquee or canopy and suspended over a sidewalk, either public or private.
8. Wall sign: A sign that is fastened directly to or is placed or painted directly upon the exterior wall of a building, with the sign face parallel to the wall, protruding from the surface of the wall no more than 18 inches and not extending above or beyond the wall to which it is attached.

*Canopy.* Any permanent roof-like structure projecting from the wall surface of a building or structure, generally located at or below the roof line and designed to provide shelter from the elements, or a freestanding roof-like structure supported by columns intended to shield a vehicular driveway or service area from the elements. A canopy shall include all structures commonly known as awnings.

*Changeable copy sign.* A sign or portion thereof with characters, letters, or illustrations that can be manually changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than once a day shall be considered a changing sign for purposes of this ordinance.

*Changing sign.* A sign that is capable of changing the visible display of words, numbers, symbols, graphics and/or position or format of word messages or other displays when such changes are actuated by any type of remote control or automatic mechanism rather than manually. Changing signs shall include mechanically operated devices which change the message through rotation of any type of panel and signs which are illuminated partially or entirely by a matrix of electronic lamps, movable discs, movable panels, light apertures, the use of light emitting diodes, back lighting, or any other light source that is electronically changed. Any changing sign that includes both mechanical and electronic elements shall be regulated as an electronically changing sign. A sign that changes no more frequently than once every twenty-four (24) hours shall not be considered a changing sign.

*Commercial sign.* A sign which identifies, advertises or directs attention to a business, or is intended to induce the purchase of goods, property, or service, including without limitation, any sign naming a brand of goods or service and real estate signs.

*Copy.* The permanent or removable wording or graphics placed on, painted upon, or bonded to the display surface of a sign.

*Dilapidated or neglected signs.* A sign (including sign structure) is dilapidated or neglected if it manifests the following conditions: rust or holes on or in the sign, or broken, missing, loose or bent parts, faded or flaking paint, or non-operative or partially operative illuminating components.

*Directory sign.* A sign, distinguished from a project entrance sign, which is allowed on a premise with more than one tenant or occupant of a building. It may be freestanding or a building (wall) sign. Such signs are not usually visible from the public street right-of-way of a development which provides initial access to the property, but rather are located within the development, along a driveway, access way, or parking aisle.

*Dissolve.* A mode of message transition on a changing sign accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the subsequent message.

*Double-faced sign.* A sign structure with two sign faces that are parallel (back-to-back) or that form an angle to one another of no more than 60 degrees, where each sign face is designed to be seen from a different direction.

*Face.* That portion of a sign upon which the copy is placed, attached, bonded, or painted.

*Fade.* A mode of message transition on a changing sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

*Feather banner.* A banner made from lightweight material and attached to a pole that is designed to wave in the wind.

*Flag.* Any fabric or bunting containing colors, patterns, words, emblems or logos used as a symbol of a government or other entity or organization.

*Flashing sign.* A sign, the illumination of which is not kept constant in intensity at all times when in use and which exhibits sudden or marked changes in lighting effects.

*Freestanding sign.* Any sign (including any associated supporting materials) which is independent from any building and is entirely supported by structures that are permanently placed on or in the ground. The term “freestanding sign” includes but is not limited to the following:

1. Monument sign. A freestanding sign forming a solid, monolithic structure from the ground to the top of the sign.
2. Pole, pylon or stanchion sign. A freestanding sign that is mounted on a freestanding pole, pylon, stanchion, columns, or similar supports such that the bottom of the sign face or lowest sign module is not in contact with the ground.

*Frontage, building.* The width in linear feet of the front exterior wall of a particular building in which an establishment is located.

*Frontage, road.* The width in linear feet of each lot where it abuts the right-of-way of any public street.

*Illuminated signs* include but are not limited to the following:

1. Internally illuminated means illuminated by an artificial light source from within the sign structure and radiating outward toward the viewer, usually projected through a transparent or translucent sign face.
2. Externally illuminated means illuminated only by an artificial light source that is external to, and independent of, the sign structure, and

the illumination radiates toward the message area away from the viewer.

3. Halo illumination means illumination where the source of light is external and integral to the sign structure; where the resultant illumination radiates toward the viewer, is interrupted by the opaque sign structure, letters, or symbols, and back lights the message area.
4. Neon sign means an illuminated sign composed of exposed and visible tubes filled with neon gas, including signs of similar appearance but illuminated by other gases similar to neon.

*Incidental sign.* A small sign, emblem, or decal no larger than two square feet in area. Such signs are normally located on doors, windows, and gas pumps, or in parking lots or loading areas, may be freestanding or building signs, and are generally not readily visible or legible from public rights-of-way.

*Inflatable sign.* A sign or similar device that is intended to be expanded by pressurized air or other gas or by mechanical fan for its proper display or support.

*Interstate sign.* A freestanding sign located near an interstate highway that is not more than seventy-five (75) feet in height and which contains not more than four hundred (400) square feet per sign face and for which the applicant must demonstrate to the building official that the sign will be visible to traffic on the interstate highway.

*Marquee.* A permanent roof-like structure of rigid materials supported by and extending from the façade of a building.

*Miscellaneous sign.* A sign commonly found on multi-family and nonresidential use properties located at entrance and exit driveways, internal driving lanes, parking lots, designated handicap parking spaces, etc.

*Nit.* A standard unit of luminance; a measurement of direct light (i.e. looking directly at the light source), used to describe displays. A “nit” is an amount of emanating light equal to one candela per square meter (cd/m<sup>2</sup>).

*Non-conforming sign.* Any sign that was lawfully permitted by the city and/or was legal at the time of its establishment in the city but does not conform to the provisions of this chapter.

*Obscene.* Any form of speech which, taken as a whole, appeals to the prurient interest in sex, portrays sexual conduct in a patently offensive way, and which, taken as a whole, does not have serious literary, artistic, political, or scientific value. See *Miller V. California*, 413 U.S. 15, 93 S. Ct. 2607 (1973).

*Pennant.* Any lightweight plastic, fabric, or similar material designed to move in the wind; pennants are often suspended from a rope, wire, or string in series. The term “pennant” shall not include a banner as defined in this chapter.

*Portable sign.* Any sign to be transported or easily relocated and not permanently attached to the ground, such as but not limited to the following:

1. A sign designed to be temporarily placed upon the ground and not anchored to it as otherwise required by the building code;
2. A sign mounted on a trailer, with or without wheels.
3. For the purposes of this chapter, sidewalk signs, sandwich board signs, banners and feather banners as prescribed herein are not considered portable signs.

*Project entrance sign.* A permanent freestanding sign located at a discernible entrance from a public or private road into a multi-family development or into a

development containing multiple lots or buildings, such as but not limited to a particular residential or commercial subdivision, a business center, office park or industrial park or a mixed use planned center.

*Revolving sign.* See Animated sign.

*Roof sign.* Any sign erected, constructed, or maintained wholly upon or above the roof of any building or structure.

*Sandwich board sign (sidewalk sign or A-frame sign).* Any moveable sign not permanently secured or attached to the ground or surface upon which it is located, designed to be used on a sidewalk or pedestrian way, including within the public right-of-way, immediately adjacent to a building or structure.

*Sign.* A lettered, numbered, symbolic, pictorial, illuminated, or colored visual display, device, or communication designed or used for the purpose of identifying, announcing, directing, informing, or bringing to the attention of others the subject thereon, that is visible from the public right-of-way, a driveway or parking lot with access to a public right-of-way, or from an adjacent property, except as specifically noted otherwise in this chapter. For purposes of this chapter, the term “sign” includes but is not limited to “banner”, “balloons”, “flags”, “pennants”, “streamers”, “windblown devices” and “advertising devices.” Furthermore, the term “sign” includes the sign structure, supports, lighting system, and any attachments, ornaments, or other features used to draw the attention of the observers.

*Sign area.* The gross area in square feet of the advertising copy surface of a sign, excluding trim and structural embellishments. Only one (1) face of a multi-face sign structure shall be used in computing the sign area. Where a single freestanding structure contains multiple individual signs, the sign area shall be the total gross area in square feet of all signs on the structure.

*Sign height.* The distance in vertical feet from the elevation of the adjacent dedicated public street, edge of pavement, to the highest point of the sign structure. The ground shall not be altered for the sole purpose of providing additional sign height.

*Sign structure.* Any construction used or designed to support a sign.

*Snipe sign.* A sign of any material whatsoever that is attached in any way to a utility pole, tree, fence, rock or other similar object located on public or private property.

*Standard Informational Sign.* A sign with an area not greater than 7 square feet, with a placard made for short-term use, containing no reflecting elements, flags or projections, and which, erected, stands at a height not greater than 42 inches and is mounted on a stake or metal frame with a thickness or diameter not greater than 1 ½ inches.

*Temporary Event.* An activity having a specific duration or the end of which is related to a specific action, usually lasting for only a few days or months at a time. Temporary events are included, but not limited to, such activities as:

1. The offering of a property or premises for sale or rent.
2. Special business promotions, such as, but not limited to, “grand openings”, “close-out sales”, and seasonal sales events.
3. The construction of a building or development project, or the rehabilitation, remodeling or renovation of a building.
4. A public announcement of a special event or seasonal activity by an individual or a non-profit organization.

*Temporary sign.* Any sign not permanently affixed to the ground or other permanent structure and designed and intended to be displayed for a limited period of time. This includes, but is not limited to, signs which are designed to be transported regularly from one location to another, signs which are designed with wheels, regardless of whether the wheels remain attached to the sign, signs placed into the ground on a temporary basis or nonpermanent foundation, or signs tethered to an existing structure.

*Traffic control sign.* A sign or electronic device (such as a traffic signal, or signs denoting stop, danger, handicap parking, one-way traffic, no parking, fire lane, etc.) for the purpose of directing or regulating the movement of traffic and/or pedestrians.

*Transition.* A visual effect used on a changing sign to change one message to another.

*Window sign.* A sign that is placed on or behind a windowpane or glass door and oriented to be viewed from outside the building.

**Sec. 25-10-11 - - 25-10-13. Reserved.**

**Article II. Regulations.**

**Sec. 25-10-14. Sign permits.**

(a) *Permit required.* Except as exempted from obtaining a permit, all persons desiring to post, install, erect, display, expand, relocate or substantially change a sign regulated by this chapter within the city, shall first obtain a sign permit and all other permits required for the desired structure in accordance with city ordinances. A change in the copy of a sign shall not constitute a substantial change. However, a change in the mode of message conveyance (i.e. from screen-print panel to LED) shall be considered a substantial change requiring a sign permit.

(b) *Application requirements.* Applications for sign permits, along with the non-refundable application fee, shall be submitted by the sign owner or the owner's agent to the building official on the form furnished by the city. Only complete applications will be accepted. Applications shall include the following:

1. The street address of the property upon which the sign is to be located. In the absence of a street address, the parcel identification number as assigned by the Troup County Tax Assessor shall be given.
2. The name(s) and address(es) of all owners of the real property upon which the sign is to be located.
3. The name, address, contact information and occupational tax certificate number and issuing jurisdiction of the sign contractor/installer.
4. Written consent of the owner or owner's agent specifically granting permission for the placement of the sign as proposed.
5. The type of sign, height, face area and total cost of sign construction or installation.
6. For free-standing signs, a site plan, drawn to scale, showing the location of the proposed sign in relation to property and right-of-way lines (or edge of pavement, as appropriate), acreage of the parcel, location of driveways and parking spaces, public or private easements, and building locations.
7. For building signs, a to-scale drawing or photo-simulation of the building face upon which the proposed sign is to be installed showing the placement of the sign upon the building, dimensions of the wall and sign and its height from ground level.

8. Construction and/or fabrication details of the proposed sign, including certification as to conformance with all structural and wind-load resistive standards of the building code by a qualified structural engineer, or prepared using standard drawings prepared by a structural engineer or other qualified professional meeting, or exceeding all requirements of the building code, if applicable.
  9. Whether or not the sign is to be illuminated and the method of illumination.
- (c) *Time for consideration and issuance of permit.* The city shall process all sign permit applications within 30 business days of the city's actual receipt of a complete application and application fee for a sign permit. Revisions or amendments to an application shall extend the review period to 20 business days from the date of submission of the revision or amendment. Revisions or amendments received after the issuance of a permit shall constitute a new application.
1. The building official shall reject any application as incomplete that does not include all items required for a sign permit application as set forth under subsection (b) of this section.
  2. The building official shall reject any application containing false material statements or omissions. Any rejected application later resubmitted shall be deemed to have been submitted on the date of resubmission instead of the original date of submission.
  3. Within 30 business days of receipt of a complete application, the building official shall:
    - i. Issue the permit; or
    - ii. Inform the applicant in writing of the reasons why the permit cannot be issued. Failure of the building official to act on a sign permit within thirty (30) days shall result in a denial of the application.
  4. Upon determination that the application fully complies with the provisions of this chapter, the building code, and all other applicable laws, regulations and chapters of the city code, the sign permit shall be issued by the building official.
  5. If it is determined that the application does not fully comply with the provisions of this chapter, the building code and all other applicable laws, regulations and chapters of the city code, the building official shall reject the application and notify the applicant of the decision and reason(s) for the denial of the permit. The building official shall give such notice in writing by hand delivery, mail, e-mail or fax using the contact information provided on the application. The notice shall be post-marked or otherwise date-stamped on or before the 30<sup>th</sup> business day following the date of the completed application's receipt by the city. A denial pursuant to this section shall be appealable pursuant to the appeal procedures of this chapter.
- (d) *Permit fees.* A sign permit shall not be issued unless the appropriate permit fees, as established by the city council, have been paid. No refunds of permit fees will be made for sign permits that expired due to failure to erect the subject sign. If a person desires to erect a sign in the same location as for any expired permit, a new application must first be processed and another fee paid in accordance with the fee schedule applicable at such time.
- (e) *Expiration of permit.* A sign permit shall become null and void if the sign for which the permit was issued has not been completed and fully installed within six months of the date of issuance, provided, however, that a 90-day extension shall be granted if a written request for extension is received by the building official prior to the expiration date of the initial permit.

(f) *Appeals.* Appeals from an administrative decision by the building official may be made by any person aggrieved, or by any officer, department, or board or bureau of the city affected by any decision of the building official or other city official based on this chapter. Such appeal shall be taken and exercised in accordance with the appeal provisions for the zoning ordinance for the city as contained in section 25-35-150 of this Code as the same may now exist or hereafter be amended. Any such appeal shall be to the board of planning and zoning appeals, which shall hear and decide whether there is an error in any order, requirement, decision or determination made by the building official or other city official based on this chapter. Any such appeal shall be in writing and shall be filed with the assistant city manager. The board of planning and zoning appeals shall hear all such petitions within sixty (60) days of receipt of same by the assistant city manager, and shall act on all such petitions within fifteen (15) days of the hearing. Failure of the board of planning and zoning appeals to hear such petition within sixty (60) days shall be deemed a denial of the appeal.

**Sec. 25-10-15. Exemption from permit requirements.**

Each of the following types of signs is allowed, subject to the standards found in this chapter, without the need for a permit.

(a) *Official signs.* Signs placed by or at the direction of a governmental body, governmental agency, board of education, public utility or public authority pursuant to O.C.G.A. § 32-6-50 et seq. or any other law. As provided by O.C.G.A. § 32-6-51, such signs are authorized within all rights-of-way or other properties controlled by such governmental body, agency, board of education, public utility or public authority and at such other locations as a governmental body, governmental agency, public utility or public authority may direct.

(b) *Flags.* Flags must meet the following requirements:

1. All flags shall be displayed on flagpoles, which may be vertical or mast arm flagpoles. For non-residential properties, flagpoles shall not exceed the building height limit of the applicable zoning district, or 50 feet, whichever is less. Flagpoles on residential properties shall not exceed 25 feet in height.
2. Flags shall be limited to no more than 60 square feet in area.
3. Each single or two-family residential lot shall be allowed one flagpole.
4. Each multi-family, institutional, commercial, industrial or mixed-use lot shall be allowed a maximum of three flagpoles.
5. A maximum of two flags shall be allowed per flagpole.
6. Flags and flagpoles shall be maintained in good repair, and to the extent applicable shall be in compliance with the building code. Flagpoles with broken halyards shall not be used.
7. On officially designated city, state, or federal holidays, there shall be no maximum flag size or number or other limitations on the display of flags.
8. This section shall not be construed to restrict the right to display eligible flags as banners as provided elsewhere in this article.

(c) *Street addresses.* Numerals displayed for the purpose of identifying property location not to exceed ten (10) inches in height.

(d) *Window signs.* In nonresidential districts, window signs shall be allowed provided they do not exceed twenty (20) percent of the available window area.

(e) *Noncommercial Message Signs.* Signs designed for temporary display and not permanently affixed to the ground that do not exceed an aggregate sign area of 16 square feet per lot in nonresidential districts and 8 square feet per lot in residential

districts. Such signs shall have a maximum height of five feet from ground level and be set back at least two feet from any right-of-way.

- (f) *Directory signs for multi-tenant developments.* As defined by this article, such signs are permitted provided they do not exceed four square feet each nor six feet in height.
- (g) *Display boards located next to drive-thru lanes.* Such signs are permitted provided they do not exceed 8 feet in height or 32 square feet in area.
- (h) *Incidental signs.* Small signs as defined in this chapter of no more than two square feet, such as signs on gasoline pumps.
- (i) *Sidewalk and sandwich board signs.* In the C-2 and C-3 districts on private property or within the public right-of-way, each tenant space is permitted one sandwich board sign subject to the following requirements:
  1. Each sign shall not exceed 30 inches wide by 45 inches tall.
  2. Each sign must be located within ten feet of the pedestrian entrance of the premises.
  3. Each sign shall not obstruct a continuous through pedestrian zone of at least five feet in width.
  4. Such a sign may be utilized only during the hours of operation of the store or entity using it and shall be removed during the hours it is closed.

**Sec. 25-10-16. Prohibited signs.**

The following signs shall be prohibited in the city:

- (a) Any sign not specifically authorized by this chapter as a permitted sign.
- (b) Abandoned signs.
- (c) Animated and flashing signs. Signs (excluding changing signs) that flash, blink, rotate, revolve, or have moving parts or visible bulbs, and signs containing reflective elements that sparkle in the sunlight or otherwise simulate illumination during daylight hours.
- (d) Dilapidated signs. Signs that are dilapidated or in such condition as to create a hazard, nuisance or to be unsafe or fail to comply with any provision of the building code.
- (e) Fringe, streamers, pennants, air or gas filled figures, search lights, beacons and other similar temporary event signs, other than as specifically authorized in this chapter.
- (f) Obscene signs. Obscene signs, as defined by the state at O.C.G.A. § 16-12-80, as amended.
- (g) Obstructions. No sign shall obstruct any fire escape, window, door, or opening usable for fire prevention or suppression, or prevent free passage from part of a roof to any other part thereof. No sign shall extend above a parapet wall, be affixed to a fire escape, or interfere with any opening required for ventilation. No sign shall interfere with road or highway visibility or obstruct or otherwise interfere with the orderly movement of traffic or pedestrians. No sign shall pose a hazard to traffic or pedestrians due to structural deficiencies of such sign.
- (h) Portable signs except as specifically authorized in Sec. 25-10-25.

- (i) Private signs placed on public property. Any sign posted or erected on public rights-of-way or any other public property except as authorized by the governmental body, agency or public authority having jurisdiction over such property.
- (j) Roof signs. This prohibition does not apply to the face of a parapet wall, provided that the sign must not extend above the top of the parapet wall.
- (k) Snipe signs.
- (l) Sound or smoke emitting signs. A sign that emits or utilizes in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing, or a sign that emits smoke, vapor or odors.
- (m) Signs advertising illegal activity. Signs that advertise an activity illegal under state or federal law.
- (n) Signs imitating public warning or traffic devices.
  - 1. Any sign that displays intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles, and any sign that uses the words “stop”, “go”, “slow”, “caution”, “danger”, “warning” or other message or content in a manner that might mislead or confuse a driver.
  - 2. Any sign that uses the words, slogans, dimensional shape or size, or colors of governmental traffic signs.
  - 3. No red, green, and yellow illuminated sign shall be permitted within 300 feet of any traffic light.
- (o) Window signs. Window signs on residentially zoned or used properties (including ORI-1) and individual or aggregate window signs exceeding 20 percent of the window area per building elevation for all other districts.

**Sec. 25-10-17. General Sign Requirements.**

The following standards shall apply unless otherwise specified in this chapter.

- (a) Building signs.
  - 1. A building sign may not project higher than the wall or surface to which it is attached.
  - 2. A building sign may not project more than 18 inches from the wall surface unless approved as a projecting sign.
  - 3. Changeable copy signs and changing signs are prohibited as building signs.
- (b) Freestanding signs (monument or pole).
  - 1. Freestanding signs shall be allowed as accessory uses only.
  - 2. Freestanding signs shall be setback at least 15 feet from the curb or edge of pavement of the roadway or two feet behind the right-of-way, whichever is greater.
  - 3. No freestanding sign shall be located within 30 feet of the nearest intersecting point of two street right-of-way lines.
  - 4. Freestanding signs shall be located at least 50 feet from other freestanding signs on the same side of the road.

5. Monument signs located within 100 feet of a public right-of-way shall display the street address of the property, except where the sign is located on property that has more than one street frontage and the property address is assigned from a street other than the street frontage whereupon such sign is erected. Street numbers shall be of contrasting colors against the background, visible from both directions of travel along the street, and no less than six inches nor more than ten inches in height.
- (c) Miscellaneous signs as accessory uses on multi-family and nonresidential lots.
1. Within the area between a street right-of-way line and the minimum building setback required from that street right-of-way line on the property, the following applies:
    - i. Permanently installed miscellaneous freestanding signs may be located only within three feet of driveways or curb cuts that provide access into or from the property.
    - ii. There shall be no more than two such signs per driveway or curb cut and each such sign shall not exceed six square feet in area nor more than three feet in height.
  2. Miscellaneous freestanding signs located farther from the street than the minimum building setback from that street right-of-way line on the property shall be allowed provided that such signs are no more than six square feet in area nor more than six feet in height.
- (d) Projecting signs.
1. A projecting sign shall not project more than 36 inches beyond the wall to which it is attached.
  2. A projecting sign shall be finished on both sides.
  3. A projecting sign shall be mounted perpendicularly to the wall.
- (e) Ground clearance under signs.
1. Projecting signs shall provide a minimum of eight feet of clearance from ground level to the bottom of the sign.
  2. Under-canopy signs of greater than four square feet shall be rigidly mounted, and there shall be eight feet of clearance below the base of any rigidly mounted under-canopy sign over a pedestrian walkway. There shall be a minimum clearance of seven feet below the base of any non-rigidly mounted under-canopy sign over a pedestrian walkway. A minimum of 14 feet of clearance shall be maintained for an under-canopy sign above a vehicular driveway or service area.
  3. Awning, mansard and marquee signs shall be no less than eight feet above the ground when erected over pedestrian walkways and 14 above ground over vehicular pathways at the lowest extremity of the sign.
- (f) Project Entrance Signs. Where permitted, project entrance signs shall meet the following standards:
1. Each project entrance may have no more than one such sign per entrance if double-faced or two signs if attached to symmetrical entrance structures.
  2. The sign must be constructed of brick, stone, masonry or equivalent architectural material and be monument-style or integral to walls/fencing separating the project from the street.
  3. The maximum face area shall not exceed 40 square feet.

4. The height of the structure shall not exceed eight feet including embellishments which shall not extend more than two feet above the main body of the structure.
  5. Signs shall not be internally illuminated.
  6. Signs shall be located a minimum of 15 feet from the edge of a street or two feet behind the right-of-way, whichever is greater.
- (g) Nothing in this chapter shall prohibit non-commercial speech on any sign provided for in this ordinance, subject to size, spacing, height and other structural limitations contained herein.
- (h) **Illumination.** All signs that are illuminated shall be effectively shielded so as to prevent beams or rays of light from causing glare to or impairing the vision of an aircraft pilot, motor vehicle driver, or pedestrian, or otherwise interfering with the operation of an aircraft or motor vehicle. Signs in residential and ORI-1 zones shall not be internally illuminated.
- (i) **Maintenance.** All signs shall be regularly repaired as needed and maintained in a safe and attractive state. Broken, unsafe, or damaged signs shall be repaired by the owner as soon as practicable. The city reserves the right to compel removal of or to remove any sign that, due to damage, unsafe condition or neglect, represents an immediate danger to the general public, if the owner shall have refused to comply with a written repair order from the building official.
- (j) No message may be displayed on any portion of the structural supports of any sign.

**Sec. 25-10-18. Sign standards for residential zoning districts.**

In the R-1, R-2, R-3, R-2M, MHP, R-4, R-5, R-7, R-8.5, R-10, R-12, R-25, R-35, R-44 and R-IN, the following signs are permitted:

- (a) Project entrance signs subject to Sec. 25-10-17(f).
- (b) Properties developed with a nonresidential use, excluding home occupations, such as a school, church, library or other similar nonresidential use are allowed the following:
  1. In lieu of a project entrance sign, one monument sign per street frontage. Monument signs shall be limited to no more than 36 square feet in area and six (6) feet in height. Up to a maximum of 25 percent of the face area may be changeable copy.
  2. Building signs. One building sign per street facing wall, totaling no more than 24 square feet, provided that if a projecting sign is used it shall be no more than 16 square feet and subject to the requirements of Sec. 25-10-17(d) and 25-10-17(e)(1).
- (c) Changeable copy (except as otherwise in Section 25-10-18(b)(2)), changing and internally illuminated signs are not permitted.
- (d) Miscellaneous signs subject to Sec. 25-10-17(c).
- (e) Standard information signs as provided for in Sec. 25-10-19.

Signs in Residential Districts				
Sign Type	Maximum #	Maximum Size	Maximum Height	Minimum Setback
Project Entrance Sign (monument signs)	1 per entrance if two-sided; 2 per entrance if placed on symmetrical structures	40 square feet	8 feet	15 feet from the edge of the street, pavement or 2 feet behind the right-of-way, whichever is greater
Monument Signs for Permitted Non-residential uses in lieu of project entrance sign	One per street frontage, up to maximum of 2	36 square feet per sign (up to 25% may be changeable copy)	6 feet	15 feet from the edge of the street pavement or 2 feet behind the right-of-way, whichever is greater
Building Signs for Permitted Non-residential uses	One per street frontage	24 square feet in total per street facing wall for wall, awning, canopy signs	N/A	N/A
		16 square feet for projecting signs		
Miscellaneous Signs (R-3 only as per Code § 25-10-17(c))	Two per driveway	6 square feet	3 feet if within the setback; 6 feet if beyond the setback	N/A

**Sec. 25-10-19. Standard Informational Sign.**

In addition to any other sign authorized by this section, each lot zoned residential may contain no more than one (1) standard informational sign. Provided, however, to the extent said sign is a commercial sign, the copy of the commercial sign shall be limited to commercial activities lawfully occurring on the premises as zoned. Examples of this allowed commercial sign category include real estate signs and signs regarding on-going home renovation or repair. Nothing contained in this section shall be construed to prohibit non-commercial speech to be included on such standard informational signs, wholly or partially, at the discretion of the sign owner.

**Sec. 25-10-20. Sign standards for office and institutional zoning districts.**

In the OIR-1 district, the following signs are permitted:

- (a) Monument signs. One monument sign per street frontage, but no more than two per property. Monument signs shall be limited to no more than 36 square feet in area and six (6) feet in height.
- (b) Building signs. One building sign per street frontage. Building signs shall be limited to no more than 24 square feet in area. If a projecting sign is used for the building sign it shall comply with Sec. 25-10-17(d) and Sec. 25-10-17(e)(1).
- (c) Changeable copy, internally illuminated and changing signs shall not be permitted.
- (d) Temporary signs as provided for in Sec. 25-10-25.
- (e) Miscellaneous signs as provided for in Sec. 25-10-17(c).

Signs in Office & Institutional Districts				
Sign Type	Maximum #	Maximum Size	Maximum Height	Minimum Setback
Monument Signs	One per street frontage	36 square feet per sign (up to 25% may be changeable copy)	6 feet	15 feet from the edge of the street pavement or 2 feet behind the right-of-way, whichever is greater
Building Signs	One per street frontage	24 square feet in total per street facing wall for wall, awning, canopy signs	N/A	N/A
		16 square feet for projecting signs		
Miscellaneous Signs	Two per driveway	6 square feet	3 feet if within the setback; 6 feet if beyond the setback	N/A

**Sec. 25-10-21. Sign standards for neighborhood commercial zoning districts.**

In the C-1 district, the following signs are permitted:

- (a) Freestanding signs.
  - 1. One monument sign per street frontage, but in no case more than two per lot. Monument signs shall be limited to no more than 72 square feet in area and twelve (12) feet in height. Up to a maximum of 25 percent of the face area may be changeable copy; or
  - 2. One pole sign per street frontage, but in no case more than two per lot. Pole signs shall be limited to no more than 50 square feet in area and 15 feet in height. Up to a maximum of 25 percent of the face area may be changeable copy.
- (b) Building signs. Building signs subject to the following restrictions:
  - 1. The maximum sign area allowed on each building elevation visible from a public or private street is as follows:
    - i. For single-occupant buildings (or multiple tenants sharing common space through a common entrance), the maximum allowable area for building signage is 10% of the area of the wall (including windows and doors) up to a maximum of 200 square feet, whichever is more restrictive.
    - ii. For multi-tenant buildings where each tenant possesses a separate exterior entrance, the maximum allowable area for building signage is 10% of the front façade of each individual business, including windows and doors, up to a maximum of 200 square feet whichever is more restrictive.
  - 2. In addition to the building signage permitted above, not more than one projecting sign per storefront facing a public street. Projecting signs shall

not exceed 16 square feet and shall comply with Sec. 25-10-17(d) and Sec. 25-10-17(e)(1).

(c) Temporary signs as provided for in Sec. 25-10-25.

(d) Miscellaneous signs as provided for in Sec. 25-10-17(c).

Signs in Neighborhood Commercial (C-1) Districts				
Sign Type	Maximum #	Maximum Size	Maximum Height	Minimum Setback
Freestanding Signs	One per street frontage, up to a maximum of two per property	Monument = 72 square feet per sign (up to 25% may be changeable copy)	Monument = 12 feet	15 feet from the edge of the street pavement or 2 feet behind the right-of-way, whichever is greater
		Pole = 50 square feet per sign (up to 25% may be changeable copy)	Pole = 15 feet	
Building Sign (wall, canopy, awning)	N/A	Single tenant: 10% of the area of the wall, up to 200 sf	N/A	N/A
		Multi-tenant: 10% of the front façade for each individual business		
Projecting Signs	One per street facing storefront	16 sf	At least 8' clearance to bottom of sign	N/A
Miscellaneous Signs	Two per driveway	6 square feet	3 feet if within the setback; 6 feet if beyond the setback	N/A

**Sec. 25-10-22. Sign standards for commercial and industrial zoning districts.**

In the C-2, C-3, G-I, and H-I districts, the following signs are permitted:

- (a) Freestanding signs are permitted on individual parcels subject to the following:
1. One freestanding sign per street frontage.
  2. Maximum height is 15 feet, except in C-2 the maximum height is ten feet and the sign must be monument style.
  3. Maximum freestanding sign face area allowed for freestanding pole or pylon signs is 100 square feet. Maximum freestanding sign face area allowed for monument signs is 150 square feet.
  4. Properties upon which more than one independently owned and operated business use is located shall be allowed five feet of additional sign height for a maximum of 20 feet and granted an additional 25 square feet of sign area for each additional independently owned and operated business up to a maximum of 200 square feet provided the freestanding sign meets the definition of a monument sign.

5. Freestanding signs may be internally or externally illuminated.
  6. In the C-3 district, a changing sign may be permitted subject to Sec. 25-10-26 as a portion of a freestanding sign. Up to a maximum of 50 percent of the face of a freestanding sign may be changeable copy or a changing sign.
- (b) Project entrance signs. Commercial and industrial subdivisions may construct a project entrance sign subject to the standards contained in Sec. 25-10-17(f).
- (c) Building signs. Building signs subject to the following restrictions:
1. The maximum sign area allowed on each building elevation visible from a public or private street is as follows:
    - i. For single-occupant buildings (or multiple tenants sharing common space through a common entrance), the maximum allowable area for building signage is 10% of the area of the wall (including windows and doors) up to a maximum of 200 square feet, whichever is more restrictive.
    - ii. For multi-tenant buildings where each tenant possesses a separate exterior entrance, the maximum allowable area for building signage is 10% of the front façade of each individual business, including windows and doors.
  2. Projecting signs shall not exceed 16 square feet and shall comply with the requirements of Sec. 25-10-17(d) and 25-10-17(e)(1).
- (d) Canopy signs on a freestanding or attached canopy that covers and protects pumps that dispense gasoline or diesel fuels for retail customers. One sign is allowed on each of three sides and each sign is limited to no more than 20% of the area of the canopy wall to which it is attached.
- (e) Temporary signs as provided for in Sec. 25-10-25.
- (f) Miscellaneous signs as provided for in Sec. 25-10-17(c).
- (g) Special freestanding interstate signs. Properties located within the C-3 general commercial zone which are both no more than 1,000 feet from the centerline of the Interstate 85 right-of-way and no more than 1,500 feet from the centerline of Lafayette Parkway, Hamilton Road, or Whitesville Road shall be permitted one accessory use special freestanding interstate sign subject to the following requirements:
1. The property shall be at least 0.75 of an acre in size.
  2. The maximum sign height shall be 75 feet from the elevation of the ground at the base of the sign.
  3. The surface area of the sign shall not exceed 400 square feet per sign face, and not more than 800 square feet of total sign area when all sign faces are combined.
  4. The location of each interstate sign shall be set back not more than 100 feet from I-85, but at least 10 feet from I-85 and 40 feet from all other property lines.
  5. No freestanding interstate sign shall be located within 50 feet of another freestanding sign.
  6. The face of each sign shall be perpendicular to the centerline of the interstate nearest to its location. No sign shall have more than 2 faces.

7. Interstate signs shall not be changing signs.

Signs in Commercial and Industrial (C-2, C-3, G-I and H-I) Districts				
Sign Type	Maximum #	Maximum Size	Maximum Height	Minimum Setback
Freestanding Signs	One per street frontage, up to a maximum of two per property	Monument = 150 square feet per sign (up to 50% may be changeable copy, or, in the C-3, a changing sign)	C-3, G-I and H-I Monument = 15 feet	15 feet from the edge of the street pavement or 2 feet behind the right-of-way, whichever is greater; 50 feet from all other freestanding signs
			C-2 Monument = 10 feet	
		Pole = 100 square feet per sign (up to 50% may be changeable copy, or, in the C-3, a changing sign)	C-3, G-I and H-I Pole = 15 feet (no pole signage in C-2)	
Building Sign (wall, canopy, awning)	N/A	Single tenant: 10% of the area of the wall, up to 200 sf	N/A	N/A
		Multi-tenant: 10% of the front façade for each individual business		
Projecting Signs	One per street facing storefront	16 sf	At least 8' clearance to bottom of sign	N/A
Gas Canopy Signs	One sign on each of three sides of the canopy	20% of the area of the canopy wall	N/A	N/A
Special Interstate Signs (C-3 only)	One sign on a lot at least 0.75 of an acre and within 1,000 feet of the centerline of I-85 and within 1,500 feet of the centerline of Lafayette Parkway, Hamilton Road or Whitesville Road	400 square feet	75 feet	At least 10 feet but not more than 100 feet from I-85 R/W; At least 40 feet from all other property lines; At least 50 feet from all other freestanding signs
Miscellaneous Signs	Two per driveway	6 square feet	3 feet if within the setback; 6 feet if beyond the setback	N/A

**Sec. 25-10-23. Sign standards for the downtown district (town center and garden districts).**

- (a) *Purpose.* The purpose of the downtown district zones are as follows:
1. To encourage the effective use of signs as a means of communication in the central business district;
  2. To maintain and enhance the downtown environment and the city's ability to attract sources of economic development and growth;
  3. To improve the appearance and function of the city's civic and cultural center;
  4. To provide for harmony and compatibility of development throughout the downtown;
  5. To improve pedestrian and traffic safety; and
  6. To protect the public investment in downtown improvements.
- The regulations are intended to supplement the requirements of the underlying zone districts through the application of overlay zones.
- (b) *Regulation of underlying district.* Unless otherwise noted in the downtown district zone regulations, the regulations of the underlying zoning district shall be maintained and not affected.
- (c) *Establishment of districts.* The downtown district zone shall include two (2) subdistricts: the town center district and the garden district. The boundaries of each subdistrict shall be established by the mayor and council and shown on the official zoning map.
- (d) *General signage requirements.*
1. Graphics and public service items: murals, art works, pictures, other graphics not including trademarked logos, images or words and public service items such as temperature/times diodes and clocks that are clearly separated from advertising messages are excluded from signage requirements, except that such items may not extend above the roof line of any building.
  2. Portable signs are prohibited.
  3. Roof signs (signs affixed flush to or extended above building roof) are prohibited.
  4. Materials and maintenance: All permanent signs shall be made of durable materials and shall be well maintained. Signs that are not well maintained or structurally sound and are not fastened firmly to the ground, pole, or building shall be removed.
  5. Roof line: No advertising device of any kind, including but not limited to signs, pennants, banners, balloons, flags or other displays used to attract attention, shall extend above the roof line of any building.
  6. Internal and external lighting:
    - i. Lighting is permitted when effectively shielded to prevent glare which may impair the vision of drivers, pedestrians in the public right-of-way and parking areas, and occupants of adjacent properties.

ii. No sign shall be flashing or intermittently lit except time and temperature displays.

7. Compliance. Notwithstanding any other provision of this section, the installation of a pole sign or projecting sign shall require that any business installing such a sign comply with the other provisions of this ordinance within a period of three (3) months from the date of the permit for such sign.

(e) *Town Center Requirements.*

1. Each storefront and each ground floor entrance to upper story businesses in the town center shall be allowed a maximum of seventy-five square feet of signage for each street frontage. A storefront is the ground floor portion of a building which provides pedestrian access to, and usually display area for, the business or businesses located within.

2. Each storefront and entrance in the town center shall be allowed a maximum of three (3) signs for each street frontage.

3. The following types of signs shall be allowed:

i. Sidewalk pole signs: Where sidewalk poles with standard bar attached are installed, businesses may be permitted to attach one sign to the bar of the pole closest to their entrance as follows:

(A) Maximum size: Twelve (12) square feet per sign face;

(B) Maximum height: Eight (8) feet above sidewalk;

(C) Maximum width: Three (3) feet;

(D) The sign may not extend above the bottom of the glass globe on poles with pedestrian lights;

(E) The sign may be of rigid material or fabric material as long as the fabric is fastened securely and maintained in good condition. Attachment shall be with standard bar and on the building side of the bar.

ii. Wall signs:

(A) Maximum size: fifty (50) square feet;

(B) Maximum number: one wall sign per storefront or entrance;

(C) Signs may not extend more than eighteen (18) inches from the façade. However, where a sign extends more than six (6) inches from the façade, it must be a minimum of eight (8) feet above the sidewalk.

iii. Projecting signs:

(A) Projecting signs may not be used by any storefront or entrance which has a sidewalk or pole sign;

(B) Maximum size: Twelve (12) square feet per sign face;

(C) Maximum width: Three (3) feet;

(D) Maximum number: one (1) projecting sign per storefront entrance;

- (E) Height: Signs must be a minimum of eight (8) feet above the sidewalk and may not reach above the bottom of second story windows;
  - (F) Projecting signs may extend over the public right-of-way but shall reach no closer than four (4) feet to the face of the street curb or to areas where there is vehicular traffic.
- iv. Awning and canopies:
- (A) Awnings and canopies may extend over the public right-of-way but shall reach no closer than four (4) feet to the face of the street curb or to areas where there is vehicular traffic;
  - (B) Awnings and canopies shall be at least eight (8) feet above the ground at all points;
  - (C) Awnings or canopies that have lighting, including neon, attached shall be allowed only after approval of the mayor and council.
- v. Freestanding signs:
- (A) Maximum number: one (1) freestanding sign (monument style only) per principal building;
  - (B) Maximum size: forty (40) square feet per sign face;
  - (C) Maximum height: Ten (10) feet.
- (f) Garden district requirements:
1. Each storefront and ground floor entrance to upper story businesses in the garden district shall be allowed a maximum of seventy-five (75) square feet of signage for each street frontage. A storefront is the ground floor portion of a building which provides pedestrian access, and usually display area for, the business or businesses located within.
  2. Each storefront entrance in the garden district shall be allowed a maximum of three (3) signs for each street frontage.
  3. The following types of signs shall be allowed:
    - i. Wall signs:
      - (A) Maximum size: Twenty (20) square feet;
      - (B) Maximum number: One (1) wall sign per storefront or entrance;
      - (C) Signs may not extend more than eighteen (18) inches from the façade. However, where a sign extends more than six (6) inches from the façade, it must be a minimum of eight (8) feet above the sidewalk.
    - ii. Projecting signs:
      - (A) Maximum size: Twelve (12) square feet per sign face;
      - (B) Maximum number: One (1) projecting sign per storefront of entrance;
      - (C) Maximum width: Three (3) feet;

- (D) Height: signs must be a minimum of eight (8) feet above the sidewalk and may not reach above the bottom of second story windows;
  - (E) Projecting signs may extend over the public right-of-way but shall reach no closer than four (4) feet to the face of the street curb or to areas where there is vehicular traffic.
- iii. Awnings and canopies:
- (A) Awnings and canopies may extend over the public right-of-way, but shall reach no closer than four (4) feet to the face of the street curb or to areas where there is vehicular traffic;
  - (B) Awnings and canopies shall be at least eight (8) feet above the ground at all points.
- iv. Freestanding signs:
- (A) Maximum number: one (1) freestanding sign per principal building (monument style only);
  - (B) Maximum size: Sixty (60) square feet per sign face;
  - (C) Maximum height: Ten (10) feet;
  - (D) Minimum distance; Fifteen (15) feet from adjoining lot line.

**Sec. 25-10-24. Signs in PUD and MXD Zoning Districts.**

For signs in the PUD and MXD zoning districts, each development shall conform to the sign regulations established as part of the zoning approval for the development. If no such regulations exist, each portion of a development existing on the effective date of this zoning ordinance shall not exceed the sign permissions of this Article for the zoning district most comparable to that portion of the development, as determined by the community development director or his designee. Any sign which has not been previously approved as part of the zoning approval for the development or subsequently permitted and erected shall require submission and approval of a uniform sign plan as specified in this Article.

**Sec. 25-10-25. Temporary Event Signs.**

In addition to other signs allowed on a non-residentially zoned property, signage is allowed for the duration of a temporary event. Such additional signs shall not be restricted as to the message displayed on the sign, but they must comply with the provisions of this section.

Temporary event signs must comply with all requirements of this chapter, except as modified by the provisions of this section, including prohibitions listed in Sec. 25-10-16. One (1) temporary event sign is allowed on a non-residentially zoned lot subject to the following requirements:

- (a) Size requirements and type.
  - 1. Freestanding signs.
    - i. Area of sign. Thirty-two (32) non-illuminated square feet.
    - ii. Height of sign. Six (6) feet in height.
  - 2. Wall sign. Six (6) non-illuminated square feet.
  - 3. Banners. Twenty-four (24) square feet.

4. Portable signs. C-3 zoned lot. Thirty-two (32) square feet. Prohibited in all other districts.

(b) Duration.

Temporary event signs may be placed on any property upon initiation of a temporary event and must be removed upon termination of the event. Banners and portable signs must follow the duration period as set forth in Sec. 25-10-25(c). Initiation and termination of particular events shall be interpreted as follows:

1. Sale or lease of a building or premises. Initiation upon the availability of the building or premises for sale or lease, and termination upon the closing of the sale or execution of the rental agreement.
2. Construction. Initiation upon commencement of construction for which a land disturbance permit has been issued, and termination upon the issuance of a certificate of occupancy, installation of a permanent sign, or expiration/termination of the land development permit, whichever is to occur first.
3. Special business promotions. Initiation upon the announcement of the special sale or sales event and termination upon its completion or thirty (30) days after initiation, whichever occurs first. Business promotion signs sixteen (16) square feet or greater in size may not be approved more often than four (4) times each calendar year on the same property.
4. Public announcement. Initiation upon the placement of the sign and termination within thirty (30) days after placement.

(c) Number of signs.

Only one (1) sign related to each temporary event may be located on a lot at any one time and only one temporary event at a time is allowed on a lot, in addition to the following:

1. Sale or lease of a lot, building or premises. One freestanding temporary event sign per lot that is available for sale or lease. For a planned center or a storefront development, one additional temporary event wall sign may be placed on the wall façade of the space that is available for sale or lease.
2. Banners. One banner per street frontage, not to exceed 30 days per calendar quarter.
3. Portable signs. One portable sign per lot, not to exceed 30 days per calendar quarter.
4. Multi-tenant developments with tenant spaces possessing separate entrances. Each business conducting a special business promotion event is allowed one temporary event wall sign, subject to the duration requirements in Sec. 25-10-25(b).

(d) Location.

1. All temporary event signs must be set back at least 15 feet from the edge of the street pavement or 2 feet behind the right-of-way, whichever is greater.
2. A temporary event sign must be located at least ten (10) feet from any other sign.
3. A temporary event sign shall be erected and maintained only with the permission of the owner of the property on which the sign is to be located.

(e) Permits and Sign Approval.

A temporary sign permit and fee as established by the Mayor and Council shall be required for the following signs. Upon expiration of the permit, the sign and any supporting structures shall be removed.

1. Banners.
2. Portable signs.
3. Special business promotion signs that are 16 square feet and larger.

**Sec. 25-10-26. Changing Signs.**

Changing signs or signs employing changing sign technology shall be allowed exclusively within the C-3 zoning district as a portion of a conforming, freestanding sign and are further subject to the following requirements:

(a) Each message displayed on any changing sign display shall remain static for at least thirty (30) seconds following the completion of its transition from the previous message. As used in this subsection “static” shall mean a display that is fixed in one (1) position with no portion of the display being in motion or changing in color or light intensity.

(b) When a message is changed mechanically, the transition between a complete static display of the previous message and a complete static display of the next message shall be accomplished in three (3) seconds or less. The transition period shall be measured as that period between any movement of any part of the display of the previous message and the time that the display of the next message is fully static.

(c) When a message is changed electronically, the transition between a complete static display of the previous message and a complete static display of the next message shall be accomplished in two (2) seconds or less. The transition period shall be measured as that period between the time that the previous message is static and fully illuminated and the next message is static and fully illuminated.

(d) No changing sign may include animated, flashing, full-motion video or other intermittent elements. The transition period between two fully illuminated static messages displayed in an electronically changed sign shall not be considered an intermittent element so long as the purpose of the changing light intensity is to fade or dissolve into the next message.

(e) No changing sign may have any type of changing effect on the border of the sign that is not fully integrated with a static message display and which does not transition to the next static message display in the same manner as the rest of the display.

(f) No display or other effect from any electronically changed sign shall cause a glare or other condition that impairs the vision of the driver of any motor vehicle or which otherwise interferes with the safe operation of a motor vehicle.

(g) Message transitions achieved by means of the scrolling of the letters, numbers or symbols shall be completed within two (2) seconds and shall remain static for at least sixty (60) seconds following the completion of the transition from the previous message.

(h) All signs shall appropriately adjust display brightness as ambient light levels change so that the brightness of the display does not cause a glare or other condition that impairs the vision of the driver of any motor vehicle or which otherwise interferes with the safe operation of a motor vehicle. The maximum illumination, intensity, or brightness of electronic signs shall not exceed 5,000 nits (candelas per square meter) during daylight hours, or 500 nits (candelas per square meter) between dusk to dawn. The sign must have an automatic phased proportional dimmer control, photocell or other light sensing device, or a scheduled dimming timer, or another approved device, which produces a distinct illumination change that reduce nighttime brightness levels (compared to daytime brightness levels). The applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set or can be programmed not to exceed the levels specified in this subsection; end-user manipulation of pre-set levels or to

exceed those specifications herein shall not be permitted. Unless another industry standard is accepted, the measurement for purposes of this paragraph shall be at any point ten (10) feet from the surface of the changing sign.

(i) No malfunction of a changing sign shall cause a glare or other condition that impairs the vision of the driver of any motor vehicle or which otherwise interferes with the safe operation of a motor vehicle.

(j) Any changing sign currently in existence shall comply with the regulations of this part. If a changing sign currently in existence cannot meet these requirements due to the limitation of the technology being employed, the owner of the sign shall be allowed to continue the existing use upon a showing, satisfactory to the director, that the requirements of this part cannot be met.

#### **Sec. 25-10-27. Nonconforming Signs**

Signs that, on the effective date of this ordinance, were approved and legally erected under previous sign restrictions, and have become non-conforming with respect to the requirements of this ordinance, may continue in existence subject to the remaining provisions of this section.

(a) Signs shall not be repaired, rebuilt, replaced or altered except in conformity with this chapter after damage exceeding 50 percent of the signs' replacement cost at the time of damage.

(b) Signs shall not be enlarged or altered in a way that would increase the nonconformity of the sign.

(c) Existing signs which were legally erected but which have become non-conforming and which do not meet the setback requirements of this ordinance due to road widening should be moved to meet the setback requirement of this ordinance but shall not be increased in size, shape or changed in any manner except as to become conforming.

(d) A non-conforming sign shall not be replaced by another non-conforming sign, except that the substitution or interchange of poster panels, painted boards or de-mountable material on non-conforming signs shall be permitted. A change in the mode of message conveyance (i.e. from screen-print panel to LED) shall not be permitted on a non-conforming sign.

(e) Minor repairs and maintenance of non-conforming signs such as electrical repairs or lettering repair shall be allowed. However, no structural repairs or changes in the size or shape of the signs shall be permitted except to make the sign comply with the requirements of this ordinance.

(f) Portable signs, banners, and other signs allowed under this chapter which are not fixtures or freestanding signs are considered personal property, unattached to the real property on which they are placed, and thus have no nonconforming or grandfather rights under this section.

(g) In all zoning districts, signs shall be removed which:

1. Were illegally erected or maintained with respect to prior ordinances.
2. Are made of paper, cloth or non-durable materials, except as otherwise permitted by this ordinance.
3. Are located in the public right-of-way, except as otherwise permitted by this ordinance.
4. Are existing signs on parcels annexed into the city and do not meet the city's sign ordinance.

**Sec. 25-10-28. Variances.**

(a) *Application.* A request for a variance to the provisions of this chapter may be initiated by a property owner or his authorized agent by filing an application with the community development director.

(b) *Application requirements.* The application shall be on a form provided by the community development department and accompanied by an elevation drawing and/or plot plan, drawn to scale, showing the dimensions and arrangement of the proposed sign. The community development director may require other information about the variance requested and its relationship to the surrounding properties. Variance applications shall be accompanied by a fee as established by the governing body by resolution from time to time.

(c) *Procedure.* Upon the filing of any complete application for a variance, a public hearing shall be scheduled and held by the Board of Planning and Zoning Appeals (the Board). Public notice of the variance application shall be published in a newspaper of general circulation in the local jurisdiction at least ten (10) days prior to the scheduled public hearing of the Board. Such notice shall state the purpose, location, time and date of the public hearing, and the nature of said application. In addition, at least ten (10) days prior to the scheduled public hearing a sign shall be placed on the property for which a variance is sought.

(d) *Authority.* The Board shall have the authority to grant variances to this chapter, upon application by a property owner and after receiving comments by the community development staff and after holding a public hearing.

(e) *Criteria for action upon variance application.* In acting upon variances, the community development staff shall submit written findings and the Board shall consider the following criteria and the extent to which they support or fail to support the sign variance application:

1. Where there are unusual, exceptional or extraordinary circumstances or conditions pertaining to the property that do not apply generally to other property in the same vicinity or use district, and such conditions are not the result of the owner's or occupant's own actions. Such conditions may include topography, unique natural conditions, surroundings of the subject property, or the size or peculiar shape of the lot.
2. As a result of such unusual circumstances or conditions, there is an unnecessary hardship or practical difficulty that renders it difficult to carry out the provisions of this chapter.
3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located, and the variance will be in harmony with the general purposes and intent of the provisions of this ordinance.
4. The variance is the minimum variance that will make possible the legal use of the sign.
5. The variance is not a request to permit a type of sign which otherwise is not permitted in the zoning district involved.

(f) *Appeals.* Any applicant aggrieved by the decision of the Board shall seek judicial review by filing for a writ of certiorari in the superior court of Troup County within thirty (30) days of the decision.

**SECTION 2:**

All parts, portions, sections, paragraphs, sentences, clauses, and phrases of this Ordinance are each hereby declared to be severable and if any such part, portion, section, paragraph, sentence,

clause, or phrase of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect any remaining parts, portions, sections, paragraphs, sentences, clauses, or phrases thereof and the Mayor and Council of the City of LaGrange hereby declare that had they known that any such provision was or would be invalid, they would not have adopted that portion or part of the Ordinance but would have nevertheless adopted the remaining portions thereof.

**SECTION 3:**

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 4:**

This Ordinance after adoption by the Council and approval by the Mayor shall become effective immediately.

**SECTION 5:**

Any person who shall violate the provision of this Ordinance shall upon conviction therefor in the appropriate court be punished as provided in Section 1-1-6 of this Code.

INTRODUCED AND FIRST READING \_\_\_\_\_ June 12, 2018

SECOND READING AND ADOPTED \_\_\_\_\_ June 26, 2018

SUBMITTED TO MAYOR AND APPROVED \_\_\_\_\_ June 26, 2018

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Teresa Taylor, Assistant City Manager

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On a motion by Mr. Gore seconded by Mr. Arrington, Council voted to modify the electric rate schedules with Mr. Gore, Mr. Mitchell, Mr. McCamey, Mr. Arrington and Mr. Edmondson voting in favor and Mr. Gaskin in opposition to the following ordinance:

**AN ORDINANCE**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND SECTION 20-5-4 REGARDING ELECTRIC RATE SCHEDULES; TO MODIFY THE ELECTRIC SERVICE RATE SCHEDULES FOR RESIDENTIAL ELECTRIC SERVICE, COMMERCIAL ELECTRIC SERVICE, GENERAL ELECTRIC SERVICE AND ECONOMIC DEVELOPMENT ELECTRIC SERVICE; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

### **SECTION 1:**

That Section 20-5-4 of the Code be amended by deleting therefrom subparagraph (4) of subsection (b) (regarding residential electric service) inserting in lieu thereof a new Section 20-5-4(b)(4) to read as follows:

- “(4) *Monthly Rate:*
- a. WINTER – October through May  
Base Charge: \$20.00  
First 650 KWH: 7.00 cents/KWH  
Next 350 KWH: 6.00 cents/KWH  
Over 1,000 KWH: 5.50 cents/KWH
  - b. SUMMER – June through September  
Base Charge: \$20.00  
First 650 KWH: 7.00 cents/KWH  
Next 350KWH: 8.00 cents/KWH  
Over 1,000 KWH: 10.30 cents/KWH”

### **SECTION 2:**

That Section 20-5-4 of the Code be amended by deleting therefrom subparagraph (6) of subsection (b) (regarding residential electric service), inserting in lieu thereof a new Section 20-5-4(b)(6) to read as follows:

- “(6) *Minimum monthly bill: \$20.00*”

### **SECTION 3:**

That Section 20-5-4 of the Code be amended by deleting therefrom subparagraph (4) of subsection (c) (regarding commercial electric service), inserting in lieu thereof a new Section 20-5-4(c)(4) to read as follows:

- “(4) *Monthly Rate – Energy Charge Including Demand Charge:*

Base Charge: \$200.00

Demand Charge: \$2.50 per KW of billing demand

All consumption (KWH) not greater than 200 hours times the billing demand:

First 1,500 KWH: 11.80 cents per KWH  
Next 8,500 KWH: 10.70 cents per KWH  
Next 190,000 KWH: 8.50 cents per KWH  
Over 200,000 KWH: 7.00 cents per KWH

All consumption (KWH) in excess of 200 hours and not greater than 400 hours times the billing demand: 2.00 cents per KWH

All consumption (KWH) in excess of 400 hours and not greater than 600 hours times the billing demand: 1.541 cents per KWH

All consumption (KWH) in excess of 600 hours times the billing demand: 1.36 cents per KWH

Minimum Monthly Bill: \$200.00 plus \$2.50 per KW of billing demand.”

**SECTION 4:**

That Section 20-5-4 of the Code be amended by deleting therefrom subparagraph (4) of subsection (e) (regarding general electric service), inserting in lieu thereof a new Section 20-5-4(e)(4) to read as follows:

“(4) *Monthly Rate – Energy Charge:*

Base Charge: \$22.00  
First 1,000 KWH: 10.80 cents/KWH  
Over 1,000 KWH: 10.00 cents/KWH

Minimum Monthly Bill: \$22.00”

**SECTION 5:**

That Section 20-5-4 of the Code be amended by deleting therefrom subparagraph (2) of subsection (e) (regarding general electric service), inserting in lieu thereof a new Section 20-5-4(e)(2) to read as follows:

“(2) *Applicability:* To all electric service of one (1) standard voltage required by any customer receiving electric service at one (1) point and metered at or compensated to that voltage who uses approximately seven thousand five hundred (7,500) KWH or less during an average month and who would have a maximum 30-minute measured demand of less than thirty (30) KW. This schedule is also applicable for outdoor lighting that is expected to operate only during the evening hours.”

**SECTION 6:**

That Section 20-5-4 of the Code be amended by inserting therein a new subsection (g) to read as follows:

“(g) *Continuity of Service:*

Nothing contained herein shall guarantee on behalf of the city an uninterrupted or undisturbed supply of electric service. In no event shall the city be responsible for any loss or damage resulting from the interruption or disturbance of service for any cause other than gross negligence of the city. Under no circumstances shall the city be liable for any loss of profits or other consequential damages resulting from the use of electric service or any interruption or disturbance of said service. The city shall under no circumstances be responsible for the transmission, use, or control of electrical energy beyond the point of connection to the customer’s premises.”

**SECTION 7:**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 8:**

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective July 1, 2018.

INTRODUCED AND FIRST READING \_\_\_\_\_ June 12, 2018

SECOND READING AND ADOPTED \_\_\_\_\_ June 26, 2018

SUBMITTED TO MAYOR AND APPROVED \_\_\_\_\_ June 26, 2018

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Teresa Taylor, Assistant City Manager

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On a motion by Mr. Gore seconded by Mr. Mitchell, Council unanimously voted to modify the gas service rate schedules with Mr. Gore, Mr. Mitchell, Mr. McCamey, Mr. Arrington and Mr. Edmondson voting in favor and Mr. Gaskin voting in opposition to the following ordinance:

**AN ORDINANCE**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND SECTION 20-10-3 OF THE CODE IN ORDER TO MODIFY SCHEDULES 40, 41, 42 AND 48 OF THE GAS SERVICE RATE ORDINANCE; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

**SECTION 1:**

That Section 20-10-3 of the Code be amended by deleting subsection (b)(3), inserting in lieu thereof a new Section 20-10-3(b)(3) to read as follows:

“(3) *Monthly Rate:*  
Winter base charge (November through March) . . . \$14.00  
Summer base charge (April through October). . . . \$ 5.00  
All consumption, per therm . . . . . \$0.545”

**SECTION 2:**

That Section 20-10-3 of the Code be amended by inserting therein a new subsection (i) to read as follows:

“(i) *Continuity of service:* The city does not guarantee an uninterrupted or undisturbed supply of natural gas service, and will not be responsible for any loss or damage resulting from the interruption or disturbance for any cause other than gross negligence of the city. The city will not be liable for any loss of profits or other consequential damages resulting from the use of service or any interruption or disturbance of service, and shall not in any way be responsible for transmission, use, or control of natural gas beyond the point of connection to the customer’s premises.”

**SECTION 3:**

That Section 20-10-3 of the Code be amended by deleting therefrom subparagraph (2) and (3) of subsection (c), inserting in lieu thereof a new Section 20-10-3(c)(2) & (3) to read as follows:

“(2) *Applicability:* Applicable to any commercial user for any purpose exclusive of resale and for service at any one location through one metering point from lines of adequate capacity.

(3) *Monthly Rate:*  
Base charge . . . . . \$500.00  
Distribution charge, per therm . . . \$0.225”

**SECTION 4:**

That Section 20-10-3 of the Code be amended by deleting therefrom subparagraph (3) of subsection (d), inserting therein a new Section 20-10-3(d)(3) to read as follows:

“(3) *Monthly Rate:*  
Base charge . . . . . \$500.00  
Distribution charge, per therm . . . . . \$0.125”

**SECTION 5:**

That subsection (d) of Section 20-10-3 of the Code be amended by deleting therefrom subparagraph (6), inserting therein a new subparagraph (6) as follows:

“(6) *Unauthorized use of gas:* The city shall have the right at any time following one-hour notice to interrupt or limit the quantity of gas it delivers to a customer under this rate schedule. If a customer refuses to honor said limitation notice, the customer shall pay an allocated share of any interstate pipeline penalties charged to the city, as determined by the city, in addition to the delivery and purchased gas adjustment charges for such gas. The payment of a penalty charge shall not, under any circumstances, be considered as giving the customer the right to take unauthorized gas.”

**SECTION 6:**

That Section 20-10-3 of the Code be amended by deleting therefrom subparagraph (3) of subsection (e), inserting therein a new Section 20-10-3(e)(3) to read as follows:

“(3) *Monthly Rate:*  
Base charge . . . . . \$25.00  
All consumption, per therm. . . . . \$0.50”

**SECTION 7:**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 8:**

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective July 1, 2018.

INTRODUCED AND FIRST READING \_\_\_\_\_ June 12, 2018

SECOND READING AND ADOPTED \_\_\_\_\_ June 26, 2018

SUBMITTED TO MAYOR AND APPROVED \_\_\_\_\_ June 26, 2018

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Teresa Taylor, Assistant City Manager

On a motion by Mr. Mitchell, seconded by Mr. Gaskin made a motion to suspend the Performance Incentive Pay bonuses for employees for the 2018-2019 Budget Year. The motion did not pass with Mr. Mitchell and Mr. Gaskin voting in favor and Mr. Gore, Mr. McCamey, Mr. Arrington and Mr. Edmondson voting in opposition.

On a motion by Mr. Arrington seconded by Mr. Gore, council unanimously voted to instruct staff to study the impact of increasing the discounts of utility rates for elderly residents.

In good news closing comments, Ms. Van Schoor announced Mayor Jim Thornton was named the 3<sup>rd</sup> Vice President of the Georgia Municipal Association at its annual convention in Savannah. She further noted that the City of LaGrange had been recertified by GMA as a City of Ethics.

Nellie Stargell appeared before the Council and requested speed humps in front of the Griggs Center, a community center for the youth, and limiting parking for transfer trailer trucks in District 2. Mayor Thornton requested staff to re-evaluate the current speed hump policy.

Anthony Talley appeared before the Council requesting Council to reconsider denying an appropriation for Get Fed. No action was taken.

On a motion by Mr. McCamey seconded by Mr. Mitchell, the committee voted unanimously to adjourn to executive session to discuss property acquisition. Mayor Thornton recused himself due to a conflict of interest immediately after the vote.

At the end of the executive session, on a motion by Mr. Edmondson seconded by Mr. Arrington, the committee voted unanimously to adjourn the executive session and reconvene the meeting.

There was no other business and the meeting was adjourned by Mayor Pro Tem McCamey.

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Mayor

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Assistant City Manager