

RESOLUTION

COMES NOW, the Sole Commissioner of Towns County, Georgia and amends the Code of Ordinances of Towns County, Georgia, as adopted May 15, 2015. To such end, Chapter 34, Article VIII, Section 34-3; Section 34-65; Section 34-72 is amended as follows:

1. **Section 34-3 Objective and purpose.**

Section 34-2 is amended by the addition of the following:

(c)

1. Provide a reasonable balance between the right of an individual to identify his or her business or express their thoughts and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of signs and advertising devices.

2. Guard against an excess of large, aesthetically unappealing, intense signs which cause visual blight on the appearance of the community. Visual blight adversely affects the aesthetic quality of life and is contrary to the natural beauty and character of our county which makes it a desirable place to live, work and visit.

2. **Section 34-65. Variances.**

Section 34-65 is hereby struck in its entirety and in its place shall read:

Variances from provisions of this article may be requested. All such variances shall be considered and decided by the county planning commission. No variance will be granted where the requested variation results in the size, shape, height or other restrictive dimension or measurement of any sign or support structure exceeding the provisions of this article by 30 percent or more.

The mere existence or destruction of a nonconforming billboard shall not constitute a valid reason to grant a variance for the building or rebuilding of a sign billboard. Upon written request, a variance from some or all of the requirements of this chapter may be granted at the discretion the sole Commissioner of Towns County Georgia. However, the variance must first be presented to the Planning Commission of Towns County, Georgia for review and recommendation to the Commissioner. The recommendation of the Planning Commission is not binding on the Commissioner. In order to consider a variance from this ordinance, the following must be found to exist:

- a) There are extraordinary and exceptional conditions pertaining to the property in question resulting from the size, shape, or topography which are not applicable to other lands in the area, or when the extraordinary circumstances result from a declared natural disaster, an act of God, or war.

- b) A literal interpretation of the provisions of this article would deprive the applicant of rights commonly enjoyed by other similar billboard and or sign owners.
- c) The requested variance will be in harmony with the purpose and intent of this article and will not be injurious to the community or to the general welfare.
- d) The special circumstances are not the result of or aggravated by actions, failures, or omissions of the applicant, or such circumstances do not arise when there are pre-existing violations of any codes or laws by the applicant.
- e) The variance would be a minimum variance which will make possible the logical use of the land or structure.
- f) If the requested variance is granted, the billboard will in all other aspects be in full compliance with this article.

3. **Section 34-67. Other types of signs permitted.**

Section 34-67 is amended by addition of the following:

Nothing in this section shall be construed to provide an exemption for or permit signs commonly referred to as billboards which would exceed the specifications and dimensions of off-premise signs as defined in Section 34-1 and permitted in Section 34-73

4. **Section 34-72. Off-premises signs, including billboards.**

Section 34-72 is struck in its entirety and in its place shall read:

Section 34-72 On-premises signs.

There shall be only one sign for advertising and promotion of a business or activity on each platted or recorded parcel of land in the unincorporated portion of the county. On-premises signs, as defined in Section 34-1, shall not exceed an area of 75 square feet per face. The total of one sign and maximum area of 75 square feet per face shall be for the single tract of land and not for each business or activity located on the site. If the on-premise sign is for advertising and promotion of a business or activity, then said business or activity must be located on the same platted or recorded parcel of land as the sign. If the sign is advertising or for promotion of a business or activity not located on the same platted or recorded parcel of land as the sign then it will be considered an off-premise sign and regulated in accordance with Section 34-73. If there is located an off-premise sign for advertising and promotion of a business or activity not located on the same platted or recorded parcel of land, then the addition of an on-premise sign on the same platted or recorded parcel of is prohibited. There shall not be both an on-premise and off-premise sign located on the same platted or recorded parcel. All on-premise signs shall meet the construction, design and other requirements set forth in this chapter.

5. **Section 34-71**

Section 34-71 is amended by striking the term "30 feet" and substituting "10 feet" .

6. Section 34-73 Off-premises signs.

There shall be only one sign for advertising and promotion of a business or activity on each platted or recorded parcel of land in the unincorporated portion of the county. Off-premises signs, as defined in Section 34-1, shall not exceed a maximum area of 32 square feet per side. If there is located an on-premise sign for advertising and promotion of a business or activity, then the addition of an off-premise sign on the same platted or recorded parcel of is prohibited. There shall not be both an on-premise and off-premise sign located on the same platted or recorded parcel. All off-premise signs shall meet the construction, design and other requirements set forth in this chapter.

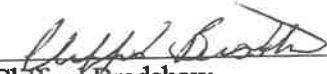
7. Section 34-74. General Provisions.

If any of the provisions of this article, or the application of this article to any person, organization, or circumstance, shall be held invalid, such invalidity shall not affect the other provisions or application of such other provisions of this article. To this end the provisions of this article are hereby declared to be severable.

All laws and ordinances, or parts thereof, which conflict with this article are repealed.


Nothing in this article shall be interpreted or applied so as to create any power or duty in conflict with the preemptive effect of any federal or state law.

RESOLVED this 29th day of Oct., 2018 with this Resolution to be spread and recorded upon Minutes of the Commissioner of Towns County, Georgia



Clifford Bradshaw
Sole Commissioner
Towns County, Georgia

Attested to:



Clerk of the Commissioner of Towns County,
Georgia

Herein the first reading of this Ordinance did occur at a Meeting of the Sole Commissioner of Towns County, Georgia on the 16th day of Oct., 2018.