ST. MARYS CITY COUNCIL
ST. MARYS, GEORGIA

At the regular meeting of the St. Marys City Council, held in the St. Marys City Hall, St. Marys, Georgia:

Present:

John Morrissey, Mayor
Robert L. Nutter, Councilman, Post 1
Elaine Powierski, Councilwoman, Post 2
Jim Gant, Councilman, Post 3
David Reilly, Councilman, Post 4
Sam L. Colville, Councilman, Post 5
Linda P. Williams, Councilwoman, Post 6

On motion of Councilmember Dave Reilly, which carried unanimously, the following Ordinance amendment was adopted:

AN AMENDMENT TO THE CODE OF ORDINANCES, CITY OF ST. MARYS, GEORGIA, SECTION 62-114 (b) (5), (6) and (7) TO PROVIDE FOR REGULATION OF SIGNS WITHIN THE ST. MARYS HISTORIC DISTRICT, AND FOR OTHER PURPOSES AS SET FORTH THEREIN.

Be it, and it is, hereby ordained by the Mayor and Council of the City of St. Marys, this 6th day of July, 2015 that section 62-114 (b) (5), (6) and (7) of the Code of Ordinances, City of St. Marys, Georgia is hereby amended to read as follows:

Section 62-114. Guidelines and criteria

(b) Signs located within the St. Marys Historic District.

(5) *Criteria.* When considering applications for certificates of appropriateness for new or revised signage in the historic district, the Historic Preservation Commission (HPC) shall use the criteria contained within this ordinance.

a. For the purposes of this section, the term signs shall include banners, fixed signage, free standing signage, flags, sandwich board signs, push-in signs, streamers, balloons, canopy advertising, umbrella advertising, mobile parked vehicle signage (but not including signs on vehicles doing business within the district), and similar advertising media. Sign requests shall be submitted on an application form as approved by the

historic preservation commission with date of submission to the planning department.

b. Reserved.

c. Signs shall initially be reviewed by staff of the planning department as to completeness of the submitted documents. Incomplete applications will not be accepted by the staff of the planning department or reviewed by the Historic Preservation Commission. Planning Staff shall have the authority to approve any sign in the Historic District that matches exactly the existing sign regarding size, shape, and location. Text and color are not within the authority of the HPC or Planning Staff to review or approve. All other signs must be reviewed by HPC review and approval.

d. Complete applications for any signs that are either new, or a revision to the size, shape, or location, shall then be submitted to the Historic Preservation Commission for review in public session with the Historic Preservation Commission voting to approve or disapprove the submitted sign. The owner of the sign or representative authorized in writing to represent the owner, is required to be in attendance to present the application to the Historic Preservation Commission. Owner or representative shall be authorized to make decisions for or on behalf of the owner.

e. Signs must not distract or detract from the visual historic character of the St. Marys Historic District and shall not obscure architectural details of the building and property.

(6) Permitted Signs and Specific regulations:

a. No more than two (2) exterior signs per lot are permitted. Of the two exterior signs, only one may be a push-in sign, and one may be wall mounted. For purposes of this Chapter 62, a push-in sign is a free-standing sign no greater than four square feet held in the ground by legs which penetrate no greater than one foot into the ground.

b. All freestanding or pylon signs shall be considered a special permit use, under the requirements of a special use listed in Ordinance Chapter 110. Applications for a special permit use for a freestanding or pylon sign within the Historic District shall be made to the Historic Preservation Commission. Any person adversely affected by the decision made by the Historic Preservation Commission relative to a special permit use may appeal such determination to the mayor and city council; the appeal must be applied for within 15 calendar days after the date of the Historic

Preservation Commission's decision. The mayor and city council may approve, modify or reject the determination made by the Historic Preservation Commission. In the application for a special permit use, applicant shall provide information about the height, size (not to exceed 25 square feet on one side), location, photographs of the location, type of construction, whether the pylon sign will block any historic features, illumination, and whether the sign would create a safety or visibility problem with pedestrians or vehicles as well as other factors that the historic preservation commission would need to consider before granting approval. Materials for freestanding signs should use materials that coordinate with the surrounding properties construction design. The base of said signs shall be shielded by plants. Materials for freestanding signs should be of wood or a material that closely resembles wood in appearance.

c. Other exterior wall signs shall either be attached flat against the wall or project at 90 degrees from the wall for maximum of 36 inches. Signs flat on the wall shall not project out from the surface more than six inches and not create a safety or visibility problem with pedestrians or vehicles. The total size of all wall and projecting signs is 40 square feet.

d. Multi-tenant buildings with separate doors to the exterior may post one sign at each main entry not to exceed two square feet.

e. Multi-tenant buildings with one main door to the exterior may post one sign at the main entry not to exceed six inches by 18 inches, for each tenant stacked vertically below the building name which shall not exceed 12 inches by 18 inches.

f. Signs may be illuminated from ground mounted up-lamps with no spillover of light that will affect pedestrian and vehicle traffic.

g. Except as noted herein, push-in signs may not be located on sidewalks or on street right-of-ways or in medians.

h. Reserved.

i. Reserved.

j. Reserved.

k. Reserved.

l. Reserved.

m. Reserved.

n. Signage related to alcohol or alcohol containing products shall be in compliance with applicable state laws.

o. Flags. Display of United States and any state or other flag are permitted within the St. Marys Historic District. Maximum size of any flag shall be 4 feet by 6 feet.

p. Reserved.

q. Street address numbers attached to buildings (maximum letter height 12 inches) to ensure visibility for public service recognition shall be permitted.

r. Any sign not visible from a public street or sidewalk does not require Historic Preservation Commission approval.

s. Signs pertaining to the time a business, activity, or establishment is open, and conditions under which patrons may receive service, including credit card identification signs or stickers are permitted on or adjacent to the main entry door.

t. Signs with menu messages not located on the right of way are permitted up to a maximum size of 2 square feet.

u. Banners not exceeding a maximum size of 18" x 60" may be placed for the first time only after approval of HPC and may be displayed only for the duration of a special event. Any sign or banner regarding any event held on private property shall not be placed within the right of way. Such signs shall be permitted to be placed only on the parcel containing the event a maximum of fourteen (14) calendar days in advance of the event, with removal on or before five (5) calendar days after the event. No Banner shall be erected under this subparagraph unless an Application therefor shall be made to the City accompanied by a $50.00 fee.

v. Future banners may be located in the same position, of the same size and attachment method as the initial banner which received approval. No other banners will be permitted. No Banner shall be erected under this subparagraph unless an Application therefor shall be made to the City accompanied by a $10.00 fee.

w. Reserved.

x. Reserved.

y. Reserved.

z. Reserved.

(7) *Prohibited signs.* The following types of signs are prohibited in all zoning districts of the city, except as otherwise specifically provided by this section:

a. Animated signs.

b. Automated changeable copy signs.

c. Backlit, flashing, or digital, signs or signs with changing illumination or signs with lettering composed of lights are prohibited whether located on the exterior or interior behind glass and visible from the sidewalk or street.

d. Any air- or gas-filled balloons.

e. Portable signs. A portable sign is one which is designed to be moved.

f. Pylon signs not otherwise permitted per this section.

g. Roof signs not permitted.

h. Sidewalk signs not otherwise permitted per this section.

i. Streamers and pennants.

j. Signs that imitate an official traffic sign or signal. This includes signs that use colored lights at any location or in any manner so as to be confused with, or construed as, traffic control devices.

k. Signs within the right-of-way, including those attached to traffic signs or telephone poles, trees, the ground, or vehicles of any wheeled or wheel-less type.

l. Signs attached to trees, other natural features and utility poles.

m. Signs attached to courtesy benches, trashcans, and similar devices, with the exception of signage related to the ownership of such items.

n. Reserved.

o. Except as noted in Section 62-114 (b)(6) (u) & (v), banners are not permitted.

p. Any sign or outdoor advertising display that depicts any material which is obscene as defined in O.C.G.A. § 16-12-80.

q. Any sign or outdoor advertising display that shows a lewd exposure of the sexual organs.

r. Signs illuminated in such a way that they cast intense light onto any residential premises or public roadways, or impair motorist vision, as determined by law enforcement personnel.

s. Reserved.

t. Signs shall not be erected, constructed or maintained so as to obstruct any fire escape, any window, door or opening used as a means of egress.

u. State law prohibits the placement of any sign on city rights-of-way, including political signs. Signs on the city or state rights-of-way are considered littering and a misdemeanor and are subject to the fines for littering and for removal costs as noted herein.

v. All signs prohibited by the Laws of Georgia.

w. Reserved.

x. Reserved.

y. Signs with changeable or moveable letters/messages are not permitted.

z. Roof signs are not permitted.

aa. Billboards are not permitted.

bb. Signs advertising businesses or activities not located on the same site as the sign are not permitted.

This Amendment shall become effective upon passage.

CITY OF ST. MARYS GEORGIA

ST. MARYS CITY COUNCIL
ST. MARYS, GEORGIA

JOHN MORRISSEY, MAYOR

ATTEST:

NICOLE GOEBEL, DEPUTY CITY CLERK
CITY OF ST. MARYS, GEORGIA

EXPLANATION OF CHANGES

NOTE: Deletions are ~~stricken through~~, additions are underlined.

Section 62-114. Guidelines and criteria

(b) Signs located within the St. Marys Historic District.

(5) *Criteria.* When considering applications for certificates of appropriateness for new or revised signage in the historic district, the Historic Preservation Commission (HPC) shall use the criteria contained within this ordinance.

a. For the purposes of this section, the term signs shall include banners, fixed signage, free standing signage, flags, sandwich board signs, push-in signs, streamers, balloons, canopy advertising, umbrella advertising, mobile parked vehicle signage (but not including signs on vehicles doing business within the district), and similar advertising media. Sign requests shall be submitted on an application form as approved by the historic preservation commission with date of submission to the planning department.

b. ~~Signs shall strictly comply with this section of Ordinance No. 62.~~ Reserved.

c. Signs shall initially be reviewed by staff of the planning department as to completeness of the submitted documents. Incomplete applications will not be accepted by the staff of the planning department or reviewed by the historic preservation commission. Planning Staff shall have the authority to approve any sign in the Historic District that matches exactly the existing sign regarding size, shape, and location. Text and color are not within the authority of the HPC or Planning Staff to review or approve. All other signs must be reviewed by HPC review and approval.

d. Complete applications for any signs that are either new, or a revision to the size, shape, or location, shall then be submitted to the historic preservation commission for review in public session with the historic preservation commission voting to approve or disapprove the submitted sign. The owner of the sign or representative authorized in writing to represent the owner, is required to be in attendance to present the application to the historic preservation commission. Owner or representative shall be authorized to make decisions for or on behalf of the owner.

e. Signs must not distract or detract from the visual historic character of the St. Marys Historic District and shall not obscure architectural details of the building and property.

(6) Permitted Signs and Specific regulations:

a. No more than two (2) exterior signs per lot are permitted. Of the two exterior signs, only one may be a ~~pylon or freestanding~~ push-in sign, and one may be wall mounted. For purposes of this Chapter 62, a push-in sign is a free-standing sign no greater than four square feet held in the ground by legs which penetrate no greater than one foot into the ground.

b. All freestanding or pylon signs shall be considered a special permit use, under the requirements of a special use listed in Ordinance ~~No.~~ Chapter 110. Applications for a special permit use for a freestanding or pylon sign within the Historic District shall be made to the Historic Preservation Commission. Any person adversely affected by the decision made by the Historic Preservation Commission relative to a special permit use may appeal such determination to the mayor and city council; the appeal must be applied for within 15 calendar days after the date of the Historic Preservation Commission's decision. The mayor and city council may approve, modify or reject the determination made by the Historic Preservation Commission. In ~~consideration of~~ the application for a special permit use, applicant shall ~~note~~ provide information about the height, size (not to exceed 25 square feet on one side), location, photographs of the location, type of construction, whether the pylon sign will block any historic features, illumination, and whether the sign would create a safety or visibility problem with pedestrians or vehicles as well as other factors that the historic preservation commission would need to consider before granting approval. Materials for freestanding signs should use materials that coordinate with the surrounding properties construction design. The base of said signs shall be shielded by plants. Materials for freestanding signs should be of wood or a material that closely resembles wood in appearance.

c. Other exterior wall signs shall either be attached flat against the wall or project at 90 degrees from the wall for maximum of 36 inches. Signs flat on the wall shall not project out from the surface more than six inches and not create a safety or visibility problem with pedestrians or vehicles. The total size of all wall and projecting signs is 40 square feet.

d. Multi-tenant buildings with separate doors to the exterior may post one sign at each main entry not to exceed two square feet.

e. Multi-tenant buildings with one main door to the exterior ~~shall~~ may post one sign at the main entry not to exceed six inches by 18 inches, for

each tenant stacked vertically below the building name which shall not exceed 12 inches by 18 inches.

f. Signs may be illuminated from ground mounted up-lamps with no spillover of light that will affect pedestrian and vehicle traffic.

g. ~~Backlit, neon, digital, LED, flashing, or changing illumination is prohibited whether located on the exterior or behind the glass and visible from the sidewalk or street.~~ Except as noted herein, push-in signs may not be located on sidewalks or on street right-of-ways or in medians.

h. ~~Non-illuminated signage in the windows of exterior windows shall be no more than 20 square feet to enable visibility into the building for security purposes.~~ Reserved.

ii. ~~Signs with changeable or moveable letters/messages are not permitted~~. Reserved.

j. ~~Roof signs are not permitted~~. Reserved.

k. ~~Billboards are not permitted~~. Reserved.

l. ~~Freestanding signs (similar to sandwich signs) may not be located on sidewalks or on street rights-of-way or on medians.~~ Reserved.

m. ~~One push-in real estate sign not to exceed four square feet located OFF of the public ROW is permitted.~~ Reserved.

n. ~~Political signs not to exceed two square feet per sign for any registered candidate (for any city, county, or federal election), one per candidate, only on privately owned property with consent of the property owner but NOT within the right-of-way (ROW).~~ Signage related to alcohol or alcohol containing products shall be in compliance with applicable state laws.

o. ~~Yard sale signs are not permitted anywhere within the historic district.~~ Flags. Display of United States and any state or other flag are permitted within the St. Marys Historic District. Maximum size of any flag shall be 4 feet by 6 feet.

p. ~~Signs advertising businesses or activities not located on the same site as the sign are not permitted.~~ Reserved.

q. ~~Businesses or activities located outside of the historic district are not permitted to post signage of any type within the historic district~~. Street

address numbers attached to buildings (maximum letter height 12 inches) to ensure visibility for public service recognition shall be permitted.

r. ~~Intensive holiday displays (such as but not limited to festivals/activities relating to Christmas, New Years, Easter, July 4th, Rock Shrimp, Mardi Gras) shall receive a COA from the historic preservation commission, as well a city review based on the assembly portion of the city ordinances prior to 60 days of the event. Any signage regarding sponsorship shall be limited to eight inches by 24 inches~~. Any sign not visible from a public street or sidewalk does not require Historic Preservation Commission approval.

s. ~~Paintings or works of art that do not convey a commercial message are permitted upon approval of the historic preservation commission~~. Signs pertaining to the time a business, activity, or establishment is open, and conditions under which patrons may receive service, including credit card identification signs or stickers are permitted on or adjacent to the main entry door.

t. ~~There shall be no signs advertising alcohol or products containing alcohol~~. Signs with menu messages not located on the right of way are permitted up to a maximum size of 2 square feet.

u. ~~Official flags. Official U.S. or GA. flags shall be flown in accordance with protocol established by the Congress of the United States for the stars and stripes, or State of Georgia, as applicable.~~ Banners not exceeding a maximum size of 18" x 60" may be placed for the first time only after approval of HPC and may be displayed only for the duration of a special event. Any sign or banner regarding any event held on private property shall not be placed within the right of way. Such signs shall be permitted to be placed only on the parcel containing the event a maximum of fourteen (14) calendar days in advance of the event, with removal on or before five (5) calendar days after the event. No Banner shall be erected under this subparagraph unless an Application therefor shall be made to the City accompanied by a $50.00 fee.

v. ~~Traffic safety and traffic directional signs installed within the right-of-way of a public street, and traffic safety and traffic directional signs along private streets driveways, and in off-street parking lots that are installed per the requirements of the city engineer or per city, state, or federal ordinance shall be permitted~~. Future banners may be located in the same position, of the same size and attachment method as the initial banner which received approval. No other banners will be permitted. No Banner shall be erected under this subparagraph unless an Application therefor shall be made to the City accompanied by a $10.00 fee.

w. ~~Street address numbers attached to buildings (maximum letter height 12 inches) to ensure visibility for public service recognition shall be permitted.~~ Reserved.

x. ~~Any sign not visible from a public street does not require historic preservation commission approval.~~ Reserved.

y. ~~Signs pertaining to the time a business, activity, or establishment is open, and conditions under which patrons may receive service, including credit card identification signs or stickers up to a total of all such signs to a maximum of one square feet in area per main entry door~~. Reserved.

z. ~~Any signage regarding "official" sponsorship of any event held on a private property shall be limited to eight inches by 24 inches and not be placed within the ROW. Sponsorship signs shall be permitted to be placed only on the parcel containing the event a maximum of 30 days in advance of the event, with removal ten days after the event.~~ Reserved.

(7) *Prohibited signs.* The following types of signs are prohibited in all zoning districts of the city, except as otherwise specifically provided by this section:

a. Animated signs.

b. Automated changeable copy signs.

c. Backlit, ~~F~~flashing, ~~signs.~~ or digital, signs or signs with changing illumination or signs with lettering composed of lights are prohibited whether located on the exterior or interior behind glass and visible from the sidewalk or street.

d. Any air- or gas-filled balloons.

e. Portable signs. A portable sign is one which is designed to be moved. Signs mounted on trailers are considered portable signs.

f. Pylon signs not otherwise permitted per this section.

g. Roof signs not permitted.

h. Sidewalk signs not otherwise permitted per this section.

i. Streamers and pennants.

j. Signs that imitate an official traffic sign or signal. This includes signs that use colored lights at any location or in any manner so as to be confused with, or construed as, traffic control devices.

k. Signs within the right-of-way, including those attached to traffic signs or telephone poles, trees, the ground, or vehicles of any wheeled or wheel-less type.

l. Signs attached to trees, other natural features and utility poles.

m. Signs attached to courtesy benches, trashcans, and similar devices, with the exception of signage related to the ownership of such items.

n. ~~Trailer mounted signs.~~ Reserved.

o. Except as noted in ~~this~~ Section 62-114 (b)(6) (u) & (v), banners are not permitted.

p. Any sign or outdoor advertising display that depicts any material which is obscene as defined in O.C.G.A. § 16-12-80.

q. Any sign or outdoor advertising display that shows ~~nudity as defined in O.C.G.A. § 32-6-75.~~ a lewd exposure of the sexual organs.

r. Signs illuminated in such a way that they cast intense light onto any residential premises or public roadways, or impair motorist vision, as determined by law enforcement personnel.

s. ~~No exterior outdoor advertising or interior advertising visible from the exterior shall be erected in the city advertising or promoting the sale of alcoholic beverages.~~ Reserved.

t. Signs shall not be erected, constructed or maintained so as to obstruct any fire escape, any window, door or opening used as a means of egress.

u. State law prohibits the placement of any sign on city rights-of-way, including political signs. Signs on the city or state rights-of-way are considered littering and a misdemeanor and are ~~be~~ subject to the fines for littering and for removal costs as noted herein.

v. All signs prohibited by the Laws of ~~Official Code of~~ Georgia.

w. ~~Consistent with the Internal Revenue Code of 1954 Rev. Rule 585-89(7)(b), a private club should not advertise its facilities for nonmember patronage since this would be prima facie evidence it was engaging in business.~~ Reserved.

x. ~~Push in signs for any purpose (except real estate signs and signs not to exceed two square feet per sign for any registered candidate for any city, county, or federal election) are not permitted within the historic district or on privately owned property or within the street right-of-way (ROW).~~ Reserved.

y. Signs with changeable or moveable letters/messages are not permitted.

z. Roof signs are not permitted.

aa. Billboards are not permitted.

bb. Signs advertising businesses or activities not located on the same site as the sign are not permitted.