

DIVISION 525: SIGNS

Sec. 525-010 PURPOSE AND INTENT

It is the purpose of the Newton County Board of Commissioners in enacting this Division to provide standards to safeguard life, public health, property and welfare by regulating the location, size, illumination, erection, maintenance and quality of materials of all signs. More specifically, signs have a powerful impact on the aesthetic environment of the community, and it is the purpose of this Division to encourage an aesthetically attractive environment, while allowing sufficient opportunities for communications to serve business and comply with the Federal and State Constitutions and laws. Signs create visual clutter and therefore should be regulated in their size, location, construction and illumination. Signs can detract from the beauty of the neighborhood and lower property values. In seeking to comply with Federal and state law, the Board has determined the following: large billboards are, as the U.S. Supreme Court has recognized, an aesthetic harm; the Georgia Supreme Court has upheld sign regulations on the basis of aesthetics and preserving the beauty of environment; and, the Eleventh Circuit has recognized portable signs are visual clutter and a potential traffic hazard. These holding show that the County's ordinance is within the law and constitutional, which is a goal of the County.

Many signs can also be a hazard and negatively impact traffic safety, by distracting drivers and blocking views of other vehicles and dangers, by making intersections more treacherous, and by making it difficult to see oncoming traffic when entering a roadway. Therefore, it is also the purpose of this Division to prevent those harms by regulating signs to safe locations, safe sizes, with proper and safe illumination and construction.

Sec. 525-020 PERMITTED SIGNS

If not otherwise stated, any sign not specifically permitted in a zoning district as provided under this section shall be prohibited. See the Sign Tables at the end of this Article.

A. Signs permitted in any zoning district:

1. Weekend signs.
2. Political campaign signs.

B. Signs permitted in A, RE, AR, R1, R2, R3, MSR, DR, MHP, MHS, RMF Zoning Districts:

1. Ground Signs:
 - a. One double face sign per road frontage of up to 6 square feet per face with a maximum height of 4 feet and minimum setback of 0 feet.
 - b. In addition to the signs permitted above, double face signs of up to 16 square feet per face with a maximum height of 10 feet and minimum setback of 10 feet are permitted as follows: A maximum of twelve (12) signs are permitted within a 1,000 ft. radius of any intersection as follows: one per corner, two signs per road segment (on either side of road) beyond 500 ft. of the corner and separated by a distance of 500 ft. Beyond 1,000 ft. of any intersection, signs on the same side of the road must be separated by 2,500 ft. unless a variance is obtained.

2. Window Signs:
One per dwelling not to exceed 25% of the area of the window.

3. Wall Signs are not permitted.

C. Signs permitted in the OI and CN Zoning Districts, for individual uses:

1. Ground Signs:

- a. One sign structure per road frontage of up to 75 square feet per face with a maximum height of 5 feet and a minimum setback of 5 feet. If the lot contains a principal building of over 10,000 square feet, the square footage increases to 100 square feet per face; if the lot contains a principal building of over 50,000 square feet, the square footage increases to 150 square feet per face; and if the principal building exceeds 100,000 square feet, the square footage increases to 200 square feet per face.
- b. In addition to the signs permitted above, double face signs of up to 16 square feet per face with a maximum height of 10 feet and minimum setback of 10 feet are permitted as follows: A maximum of twelve (12) signs are permitted within a 1,000 ft. radius of any intersection as follows: one per corner, two signs per road segment (on either side of road) beyond 500 ft. of the corner and separated by a distance of 500 ft. Beyond 1,000 ft. of any intersection, signs on the same side of the road must be separated by 2,500 ft. unless a variance is obtained.

2. Window Signs:

Total signage not to exceed 25% of the area of windows facing road frontage.

3. Wall Signs:

One sign per building elevation of up to 36 square feet. If the building has over 2,500 gross square feet of building space, this amount increases to 60 square feet; if the building has over 15,000 gross square feet of building space, this amount increases to 100 square feet; and if the building has over 50,000 gross square feet of building space, this amount increases to 200 square feet, provided however, total signage shall not exceed 50% of total permitted square footage on any building elevation. The total of all signs on all elevations shall not exceed 72 square feet; if the building has over 2,500 gross square feet of building space, this total amount increases to 120 square feet; if the building has over 15,000 gross square feet of building space, this total amount increases to 200 square feet; and if the building has over 50,000 gross square feet of building space, this total amount increases to 400 square feet.

D. Signs permitted in CH and CG Zoning Districts, for individual uses:

1. Ground Signs:

- a. One sign structure per road frontage of up to 75 square feet per face with a maximum height of 15 feet and a minimum setback of 10 feet. If the lot contains a principal

building of over 10,000 square feet, the square footage increases to 100 square feet per face; if the lot contains a principal building of over 50,000 square feet, the square footage increases to 150 square feet per face; and if the principal building exceeds 100,000 square feet, the square footage increases to 200 square feet per face.

- b. In addition to the signs permitted above, double face signs of up to 16 square feet per face with a maximum height of 10 feet and minimum setback of 10 feet are permitted as follows: A maximum of twelve (12) signs are permitted within a 1,000 ft. radius of any intersection as follows: one per corner, two signs per road segment (on either side of road) beyond 500 ft. of the corner and separated by a distance of 500 ft. Beyond 1,000 ft. of any intersection, signs on the same side of the road must be separated by 2,500 ft. unless a variance is obtained.

2. Window Signs:

Total signage not to exceed 25% of the area of windows facing road frontage.

3. Wall Signs:

One sign per building elevation of up to 36 square feet. If the building has over 2,500 gross square feet of building space, this amount increases to 60 square feet; if the building has over 15,000 gross square feet of building space, this amount increases to 100 square feet; and if the building has over 50,000 gross square feet of building space, this amount increases to 200 square feet, provided however, total signage shall not exceed 50% of total permitted square footage on any building elevation. The total of all signs on all elevations shall not exceed 72 square feet; if the building has over 2,500 gross square feet of building space, this total amount increases to 120 square feet; if the building has over 15,000 gross square feet of building space, this total amount increases to 200 square feet; and if the building has over 50,000 gross square feet of building space, this total amount increases to 400 square feet.

E. Signs permitted in the M1 and M2 Zoning Districts, for individual uses:

1. Ground Signs:

- a. One sign structure per road frontage of up to 75 square feet per face with a maximum height of 35 feet and a minimum setback of 10 feet. If the lot contains a principal building of over 10,000 square feet, the square footage increases to 100 square feet per face; if the lot contains a principal building of over 50,000 square feet, the square footage increases to 150 square feet per face; and if the principal building exceeds 100,000 square feet, the square footage increases to 200 square feet per face.
- b. In addition to the signs permitted above, double face signs of up to 16 square feet per face with a maximum height of 10 feet and minimum setback of 10 feet are permitted as follows: A maximum of twelve (12) signs are permitted within a 1,000 ft. radius of any intersection as follows: one per corner, two signs per road segment (on either side of road) beyond 500 ft. of the corner and separated by a distance of 500 ft. Beyond

1,000 ft. of any intersection, signs on the same side of the road must be separated by 2,500 ft. unless a variance is obtained.

2. Window Signs:

Total signage not to exceed 25% of the area of windows facing road frontage.

3. Wall Signs:

One sign per building elevation of up to 36 square feet. If the building has over 2,500 gross square feet of building space, this amount increases to 60 square feet; if the building has over 15,000 gross square feet of building space, this amount increases to 100 square feet; and if the building has over 50,000 gross square feet of building space, this amount increases to 200 square feet, provided however, total signage shall not exceed 50% of total permitted square footage on any building elevation. The total of all signs on all elevations shall not exceed 72 square feet; if the building has over 2,500 gross square feet of building space, this total amount increases to 120 square feet; if the building has over 15,000 gross square feet of building space, this total amount increases to 200 square feet; and if the building has over 50,000 gross square feet of building space, this total amount increases to 400 square feet.

F. Signs permitted in OI and CN Zoning Districts, for Planned Office, Commercial Center or Retail Center:

1. Ground Signs:

a. One sign structure per road frontage of up to 75 square feet per face with a maximum height of 5 feet and a minimum setback of 5 feet. If the lot contains a principal building of over 10,000 square feet, the square footage increases to 100 square feet per face; if the lot contains a principal building of over 50,000 square feet, the square footage increases to 150 square feet per face; and if the principal building exceeds 100,000 square feet, the square footage increases to 200 square feet per face.

2. Window Signs:

Total signage per business not to exceed 25% of the area of windows facing road frontage.

3. Wall Signs:

Total area of all signs is not to exceed 10% of the gross floor area. No more than four signs per business are permitted and no sign shall exceed 250 square feet.

G. Signs permitted in the CH and CG Zoning Districts, for Planned Commercial or Retail Center:

1. Ground Signs:

a. One sign structure per road frontage of up to 75 square feet per face with a maximum height of 15 feet and a minimum setback of 10 feet. If the lot contains a principal

building of over 10,000 square feet, the square footage increases to 100 square feet per face; if the lot contains a principal building of over 50,000 square feet, the square footage increases to 150 square feet per face; and if the principal building exceeds 100,000 square feet, the square footage increases to 200 square feet per face.

2. Window Signs:

Total signage per business not to exceed 25% of the area of windows facing road frontage.

3. Wall Signs:

Total area of all signs is not to exceed 10% of the gross floor area. No more than four signs per business are permitted and no sign shall exceed 250 square feet.

H. Signs permitted in the M1 and M2 Zoning Districts, for Planned Industrial Center:

1. Ground Signs:

a. One sign structure per road frontage of up to 75 square feet per face with a maximum height of 35 feet and a minimum setback of 10 feet. If the lot contains a principal building of over 10,000 square feet, the square footage increases to 100 square feet per face; if the lot contains a principal building of over 50,000 square feet, the square footage increases to 150 square feet per face; and if the principal building exceeds 100,000 square feet, the square footage increases to 200 square feet per face.

2. Window Signs:

Total signage per business not to exceed 25% of the area of windows facing road frontage.

3. Wall Signs:

Total area of all signs is not to exceed 10% of the gross floor area. No more than four signs per business are permitted and no sign shall exceed 250 square feet

Sec. 525-025 ADDITIONAL PERMITTED SIGNS

The following signs are also permitted, as stated:

A. Subdivision Entrance Signs:

Two monument-style signs or two double-faced signs shall be permitted at every entrance to any residential subdivision, mobile home park or subdivision, apartment complex, or other similar residential development. Such signs shall not exceed 11 feet in height, and cannot exceed 32 square feet of signage, for each face. All sign structures must be constructed of brick, stone, masonry or equal architectural material. Only external illumination is permitted.

B. Commercial/Office/Industrial Entrance Signs:

Two monument-style signs or two double faced signs shall be permitted at every entrance to any commercial, office or industrial planned development. Such signs shall not exceed 16 feet in height, and cannot exceed 50 square feet of signage, for each face. All sign structures

must be constructed of brick, stone, masonry or equal architectural material. Such signs can be internally or externally illuminated.

- C. Public purpose and safety signs are permitted in every zoning district. Such signs can be placed in the public right-of-way, provided they do not create a safety hazard.
- D. Any sign not visible from the outside of a structure or to passing members of the public.
- E. Signs on private property not exceeding three square feet in area.
- F. Directional signs, including exit/entrance, shipping/receiving or other directional information, not to exceed six square feet in area or four feet in height.
- G. Signs authorized in connection with the approval of a development plan for a C.O.R.D. See Section 300-040.
- H. Political Campaign Signs:
In accordance with O.C.G.A. Section 16-7-58, this Ordinance does not regulate the length of time a political campaign sign may be displayed or the number of signs which may be displayed on private property for which permission has been granted. Political campaign signs shall not exceed five feet in height and sixteen square feet per side, and shall not be more than two sided. Such signs shall be made of waterproof material, and must be attached to an independent mounting device no more than forty inches above ground level. The mounting must be secure to prevent the sign from blowing off the device. The mounting device shall bear the name and phone number of the party responsible for the device. No such sign can be placed within 100 feet of an intersection, nor shall any sign be closer than ten feet to the pavement of a roadway. In no event can such signs be placed on public rights-of-way. Anyone desiring to place such sign on the property of another must obtain permission.

Sec. 525-030 STANDARDS

- A. Content
Any sign, display or device allowed under this Division may contain any commercial or non-commercial message, except that such messages cannot depict obscenity, as defined by O.C.G.A. § 16-12-80, nor can it depict sexual conduct or sexually explicit nudity, as defined in O.C.G.A. § 36-60-3, nor advertise any illegal activity.
- B. Location
All signs must be placed on private property, except signs erected on public property by an authorized governmental unit. No sign shall be located closer than 10 feet from the back of the curb of a public roadway, nor be located closer than 10 feet from the public right-of-way, whichever is farther from the street, unless otherwise noted. No sign shall encroach on or hang over any public right-of-way.

C. Number

1. For the purposes of determining the number of signs, ground signs shall be equal to the number of sign structures. All other non-ground signs shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in random manner without organized relationship of elements, such elements shall be considered to be a single sign.
2. Additional wall signs are allowed on individual establishments in non-residential planned developments as follows:

For individual offices in planned office or industrial centers in the OI, CN, CH, CG, M1, and M2 Districts, one wall sign is permitted per building elevation per tenant. The signs shall not exceed 20 square feet or 5% of the wall areas, whichever is greater. The height of the signs shall be equal to or less than the height of the wall.

For individual establishments in planned commercial centers in the OI, CN, CH, CG, M1 and M2 Zoning Districts, one wall sign per building elevation of up to 36 square feet. If the building has over 2,500 gross square feet of building space, this amount increases to 60 square feet; if the building has over 15,000 gross square feet of building space, this amount increases to 100 square feet; and if the building has over 50,000 gross square feet of building space, this amount increases to 200 square feet, provided however, total signage shall not exceed 50% of total permitted square footage on any building elevation. The total of all signs on all elevations shall not exceed 72 square feet; if the building has over 2,500 gross square feet of building space, this total amount increases to 120 square feet; if the building has over 15,000 gross square feet of building space, this total amount increases to 200 square feet; and if the building has over 50,000 gross square feet of building space, this total amount increases to 400 square feet. The height of the signs shall be equal to or less than the height of the wall.

D. Illumination

1. Ground signs cannot be internally illuminated in the A, RE, AR, R1, R2, R3, and DR zoning districts. Any external illumination of any sign in any district shall be positioned and shielded so that the light source cannot be seen directly by any passing motorists nor from adjacent dwelling or business.
2. Flashing, blinking or otherwise varying illumination is not permitted. No external or internal illumination that causes confusion with or distraction from any traffic signal or safety device shall be permitted.
3. All signs located within any residential district may only be externally illuminated using directional or cut-off lighting fixtures.

E. Corner Visibility

No sign or sign structure (above a height of three feet) shall be maintained within 15 feet of the intersection with a railroad right-of-way.

F. Fire Safety

No sign or sign structure may be erected or maintained which obstructs any fire escape, ventilation, or door; nor shall any sign or sign structure be attached to a fire escape.

Sec. 525-050 PROHIBITED SIGNS

The following types of signs are prohibited, as stated:

A. Roof Signs.

B. Sidewalk, A-type, sandwich or curb-type signs.

C. Portable signs, except as permitted in Sec. 525-060.

D. Swinging or projecting signs, unless approval is granted by the Director. In no case, however, shall this type of sign exceed two square feet.

E. Animated signs involving motion or sound.

F. Flashing, blinking or signs of varying light intensity, or signs containing exposed neon tubing.

G. Signs which contain or are an imitation of an official traffic sign or signal, or can be confused with an official traffic sign.

H. Courtesy benches, trash cans, and similar devices displaying any words or images designed to convey a message to the viewer.

I. Trailer signs.

J. Signs attached to any street signs or markers, traffic control signs or devices, or attached to or painted on any pole, post, tree, rock, shrub, plant or other natural object or feature.

K. Signs rotating at greater than six revolutions per minute.

L. Signs not in good repair, specifically including any sign which has its internal lighting exposed to view for more than one week.

M. Signs or advertising devices attached to any vehicle or trailer parked for more than 48 hours so as to be visible from a public right-of-way, except for work vehicles of a business and common carriers or other vehicles used for daily transportation with a valid license plate.

Newton County shall be empowered to remove or cause to be removed at the owner's expense all prohibited signs.

Sec. 525-060 LONG-DURATION TEMPORARY SIGNS

- A. The following types of long-duration temporary signs may be displayed upon the issuance of a temporary permit from the Director, but are only permitted in the CH, CG, M1 and M2 zoning districts.
 - 1. Inflatable advertising devices and figures less than 35 feet in height.
 - 2. Search lights, lasers and similar devices.
 - 3. Banners, including flag banners.
- B. Only one long-duration temporary sign or advertising device may be used on one lot at the same time.
- C. A temporary permit shall be valid for no more than 60 days. A business or individual cannot request more than one temporary permit every six months.

Sec. 525-065 SHORT-DURATION TEMPORARY SIGNS

A. Weekend Signs

Weekend signs shall not exceed three feet in height and four square feet per side, and shall not be more than two sided. Such signs shall be made of waterproof material, and must be attached to an independent mounting device no more than forty inches above ground level. The mounting must be secure to prevent the sign from blowing off the device. The mounting device shall bear the name and phone number of the party responsible for the device. No such sign can be placed within 100 feet of an intersection, nor shall any sign be closer than ten feet to pavement of a roadway. In no event can such signs be placed on public right-of-way.

B. Short-Duration Temporary Signs

Short duration temporary signs can be erected in any zoning district for a maximum of two weeks. No more than two signs can be erected on any lot. Such shall not exceed five feet in height and sixteen square feet per side, and shall not be more than two sided. Such signs shall be made of waterproof material, and must be attached to an independent mounting device no more than forty inches above ground level. The mounting must be secure to prevent the sign from blowing off the device. The mounting device shall bear the name and phone number of the party responsible for the device. No such sign can be placed within 100 feet of an intersection, nor shall any sign be closer than ten feet to the pavement of a roadway. In no event can such signs be placed on public rights-of-way. Short duration signs cannot be placed on the same lot more than four times per year.

Sec. 525-070 PROCEDURES

A. Sign Permit:

1. A sign permit is required before a ground or wall sign may be erected except for the following signs: (1) weekend signs, (2) political campaign signs, 16 square feet or less, and (3) a ground sign less than 6 square feet or a window sign in A, AR, RE, R1, R2, R3, DR, MSR, MHP, MHS or RMF zoning districts.; A sign permit is required before an existing sign may be enlarged, relocated or materially improved upon to an extent of 60 percent of its total replacement value. All signs using electrical wiring and connections shall require an electrical permit.
2. A sign permit shall be issued by the Building Official when the plans, specifications, and intended use of the applied sign or part thereof conform in all respects to the applicable provisions of this Division and the County Building Code as certified by the Building Official. The application shall be accompanied by all the information required under Section 525-070 (B) and such other information as the Building Official may require in the exercise of sound discretion in acting upon the application; standardized sign plans may be filed with the Building Official in fulfillment of this requirement, although site plans to determine the location of a sign shall be filed with each application.
3. The Building Official is hereby authorized to issue a permit for temporary signs. The applicant requesting a permit to place the above mentioned signs shall file a bond for each sign. Said bond will be remitted within 10 calendar days upon the Building Official's verification of the removal of all signs by the applicant.
4. Each sign application shall contain an agreement to indemnify and save the County harmless of all damages, demands or expenses which may in any manner be caused by the sign or sign structure. Each applicant shall present to the County on request a certificate of liability insurance prior to the issuance of a sign permit.
5. Every sign constructed, erected or maintained for which a permit is required shall be plainly marked with the name of the person, firm or corporation erecting and maintaining such sign, and shall have the number of the permit issued for said sign by the Building Official affixed on the framework of the sign in such a manner that the information contained therein shall be readily accessible and durable.
6. A sign permit shall become null and void if the sign for which the permit was issued has not been completed within a period of six months after the date of issuance.

B. Application

Applications for sign permits required above shall be filed by the sign owner or owner's agent with the Zoning Administrator upon forms provided. The application shall describe and set forth the following and any additional information pertinent to the sign application as may be requested by the Zoning Administrator.

1. The type and purpose of the sign as defined by this Ordinance.
2. A site plan showing the location of the sign, and construction plan describing the material the sign is to be constructed from.

3. Elevation drawing showing the height and dimensions of sign face.
4. The total construction cost of the sign.
5. The street address of the property upon which subject sign is to be located and the proposed location of the sign on the subject property. In the absence of a street address, a method of location acceptable to the Director shall be used.
6. The square foot area per sign and the aggregate square foot area if there is more than one sign face.
7. The name(s) and address(es) of the owner(s) of the real property upon which the subject sign is to be located.
8. Written consent of the owner, or owner's agent, granting permission for the placement and/or maintenance of the sign.
9. The name, address, phone number, and business license number of the sign contractor.
10. Business license number of sign owner if the sign is for a business.

C. Expiration Date

A sign permit shall become null and void if the sign for which the permit was issued has not been completed within six months after the date of the issuance, provided however, that a six-month extension of the permit shall be granted if an additional permit extension fee has been paid prior to the expiration date of the initial permit.

D. Processing of Application

Upon receipt of a properly completed application for a sign as permitted under the provisions of this Division, the County, through its enforcement personnel, shall examine and process the application within ten (10) working days. A permit may be denied if the applicant landowner or lessee is presently maintaining any sign in violation of the Newton County Zoning Ordinance.

Sec. 525-080 INSPECTION

In accordance with Section 700-020 of this Ordinance, enforcement personnel are hereby empowered to enter into or inspect any building, structure, or premise upon which a sign subject to this Division is located for the purpose of inspecting the sign, its structural and electrical connections, and to ensure compliance with the provisions of this Division.

Sec. 525-090 APPEALS AND VARIANCES

A. Procedure Upon Denial

Upon denial of the application for a sign permit the applicant shall be given written notice stating the reason(s) for denial within 15 days of the decision to deny the permit. The aggrieved party may appeal any decision as provided in Section 605-020 (D).

B. Variances

1. Variances may be granted from the provisions of this Division in compliance with Section 605-030 of this Ordinance.
2. Variance procedures shall apply both to signs which are non-conforming as of the effective date of this Ordinance and to new signs erected thereafter.

Sec. 525-100 CONSTRUCTION AND MAINTENANCE

- A. It shall be unlawful to erect or place any sign, which does not conform to the requirements of this Division.
- B. All signs for which a permit is required, together with all their supports, braces, guys, and anchors shall be kept in constant repair and unless constructed of galvanized or non-corroding metal shall periodically be given a protective coating. The area immediately in front of all freestanding signs shall be maintained free of high weeds and debris.
- C. It shall be the duty of the Building Official to periodically inspect every sign for which a permit is required in order to determine that each meets the requirements set forth in this Division.
- D. The person or entity holding the permit shall be required to remove or have removed from the premises discarded or unusable paper. Sign faces, parts and debris resulting from the changing of the advertising copy or message or maintenance of any approved sign or sign structure.

Sec. 525-110 ENFORCEMENT

A. Removal

1. In accordance with Section 700-020, enforcement personnel may order the removal of any sign in violation of this Division. Notice shall be given to the permit holder, then to the owner of the sign; or if the sign owner cannot be found or cannot be determined, notice shall be given to the sign erector and property owner and/or any other party that procured the erection of the sign. If a permit was issued, such notice shall operate to revoke the permit. The removal order shall be issued only after the appropriate party fails to comply with the terms of this Division within seven (7) days after the receipt of written notice of non-compliance by the County or within ten (10) days from the mailing of such notice if no receipt indicating acceptance is returned.
2. An aggrieved party may appeal the removal order within ten (10) days from the date that the notice was received. Such appeal shall be provided in Section 605-020 (D) of this Ordinance. If the sign is not removed within thirty (30) days after the order of removal (or 30 days after the date any appeal becomes final), the enforcement personnel are

authorized to remove or cause to be removed the sign and to collect the costs thereof as provided below.

B. Removal Without Notice

The enforcement personnel or any other agent of Newton County having jurisdiction under the circumstances may remove or direct the removal of any sign in violation of this Division, without giving notice to any party, if:

1. Said sign is upon the public right-of-way or upon other public property; or
2. Said sign poses an immediate safety threat to the life or health of any members of the public.

C. Costs of Removal

Removal of any sign as provided for in this Section shall be without liability to Newton County, its officers, agents, servants and employees. The permit holder shall be primarily responsible for the costs of removal. If there is no permit holder, then the sign owner shall be responsible. If the sign owner cannot be found or cannot be determined, then the costs of removal shall be the responsibility of the sign erector and/or property owner or any other party that procured erection of the sign. If payment or arrangement to make payment is not made within 60 days after the receipt of said statement, the code enforcement personnel shall certify the amount thereof for collection to the County Attorney. In the event signs that are removed remain unclaimed for more than 120 days from the date of impound, the signs shall be disposed of in accordance with state law.

D. Invalid Permits

The enforcement personnel may issue a removal order when it has been determined that a permit was improperly issued, that the permit was issued on the basis of misstatement of fact or fraud, that the sign has not been constructed in compliance with this Division or with the specifications of the application or site plans, that the sign permit has expired or that the sign is otherwise not in compliance with this Division. In the event a sign is not removed after receipt of a removal order by the owner of such sign or property, enforcement personnel may institute legal proceedings hereunder against the property owner, sign owner, lessee, sign erector or a combination of the above.

E. Non-Conforming Signs

1. Signs which do not comply with this Division and were legally placed before the effective date of this Ordinance shall become non-conforming with respect to the requirements set forth herein; however, signs which were illegally erected, established or maintained with respect to the applicable requirements of prior Ordinances shall be removed or brought into compliance herewith as soon as practicable, but within 30 days from the effective date of this Ordinance. Non-conforming signs made of paper, cloth or other non-durable material, all temporary sign other than those permitted herein, and any signs that are not affixed to a building or the ground or are located within a public right-of-way, shall be removed as soon as practicable but within 30 days from the effective

date of this Ordinance. Upon failure to comply with the requirements of this Division, the Building Official may cause the removal of any non-conforming sign at the expense of the owner.

2. 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 demountable material on non-conforming signs shall be permitted through the period described by this Division.
3. Minor repairs and maintenance of non-conforming sign such as repainting, electrical repairs and neon tubing shall be permitted. However, no structural repairs or changes in the size or shape of the sign shall be permitted except to make the sign comply with the requirements of this Division.
4. Each sign which exists at the effective date of this Ordinance shall be registered by its owner with the Building Official or Zoning Administrator.

F. Fines and Penalties

1. Citations

Without limitation, sign erectors, sign owners, and such other responsible parties may be cited for the violation of any provisions of this Division in accordance with Section 700-030.

2. Penalties

The fine for any one sign found in violation of this Division tried upon a citation or upon an accusation shall be as provided in Section 700-020 of this Ordinance.