

**AN ORDINANCE TO ADOPT AMENDMENTS TO THE
2003 ZONING ORDINANCE, NEWTON COUNTY GEORGIA;
TO REPEAL CONFLICTING PROVISIONS;
AND FOR OTHER PURPOSES**

BE IT ORDAINED by the Board of Commissioners, Newton County, Georgia, and it is hereby ordained by the authority of the Constitution of Georgia (1983), Art. IX, Sec. II, Par. I, II and IV, as follows:

Section 1


Newton County does hereby amend the 2003 Zoning Ordinance, Newton County, Georgia as provided in Exhibit "A", attached hereto and incorporated herein by reference thereto.

Section 2

All ordinances or regulations or parts thereof in conflict herewith are hereby repealed.

Adopted and approved by the Board of Commissioners on the 6th day of May, 2008, after a public hearing on said date.

NEWTON COUNTY BOARD OF COMMISSIONERS

By: 
Aaron Varner, Chairman

Attest: 
Jackie Smith, Clerk



Recommended for approval and adoption by the Newton County Planning Commission on April 22, 2008, after a public hearing on said date.

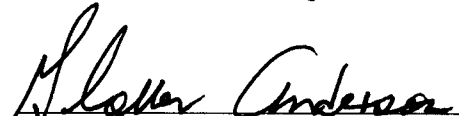

Glover Anderson, Chairman
Newton County Planning Commission

EXHIBIT "A"

Amendment One

Division 525: Signs, Sec.525-010 PURPOSE AND INTENT – is hereby deleted in its entirety and replaced with the following:

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.

Amendment Two

Sec.525-020 PERMITTED SIGNS, subsection A. – is hereby deleted in its entirety and replaced with the following:

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.

Amendment Three

Sec.525-025 ADDITIONAL PERMITTED SIGNS – is hereby added as follows:

Sec. 525-025 ADDITIONAL PERMITTED SIGNS

The following signs are also permitted, as stated.

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.

Amendment Four

Sec.525-065 SHORT DURATION TEMPORARY SIGNS – is hereby deleted in its entirety and replaced with the following:

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 the pavement of a roadway. In no event can such signs be placed on public rights-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.

Amendment Five

Sec.525-070 PROCEDURES, subsection A.1. – is hereby deleted in its entirety and replaced with the following:

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 the A, A-R, R-E, R-1, R-2, R-3, DR, 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.

Amendment Six

Sec.105-020 SPECIFIC DEFINITIONS, Election Cycle – is hereby deleted in its entirety, and Sign, Election Cycle is hereby deleted in its entirety and replaced with the following:

Sec. 105-020 SPECIFIC DEFINITIONS

When used in this Ordinance, the following words and phrases shall have the meaning given in this Section:

Sign, Political Campaign

A sign that can be erected under the special provisions of Sec. 525-025 of this Division.