

September 22, 2011

Dear Candidates:

Another political campaign season is upon us and there is frequently a proliferation of political message signs being placed all over the City of Dunwoody. We have received several complaints about illegally placed signs in or near the public rights-of-way.

In many instances, candidates and their volunteers simply do not realize where rights-of-way are located or your volunteers and supporters are not aware of the city's sign regulations.

Knowing that campaign advertising is highly important, and expensive, the City of Dunwoody would like to provide you with these sign posting guidelines and our plan to help you manage the relocation or removal of illegally placed signs.

Please call me if you have any questions or concerns. With a small Code Compliance staff it will be impossible for us to identify every sign that is not in compliance with our regulations. Please know that we will make every effort to respond to complaints and to identify illegally placed signs that are a hazard to drivers, bicyclists and pedestrians.

I have directed our staff to be even-handed, and I assure you we have no agenda to target any candidate's signs, or provide anyone with preferential treatment. As I have said before, we work for whomever the good people of Dunwoody vote for in November. We have no partiality in this election.

I have enclosed a copy of the relevant sections of the sign ordinance for your review.

Thanks for your assistance with this important matter.

Sincerely,



Warren Hutmacher  
City Manager

Cc: Mayor and City Council  
Mike Tuller, Community Development Director  
Tom LaPenna, Code Compliance

## Campaign Sign Placement

### Campaign signs may not be located in or on any of the following:

- The public right-of-way, which usually extends 12 feet from the back of the curb to the private property line. The width of the public right-of-way varies within the city limits. It may be necessary for our staff to verify the location of the right-of-way in the field using official city maps.
- On street signs, lights, or utility poles. These items are located in right-of-way and are considered "snipe signs".
- On public property, such as fire stations, parks, schools, City Hall, etc.
- On any property where the candidate has not received the property owners' permission.

### City Enforcement Procedures for Campaign Signs

- The City will respond on a "complaint basis" and to obvious violations that may present a hazard to motorists, bicyclists or pedestrians.
- Complaints should be directed to Code Compliance (Tom LaPenna) via email at [tom.lapenna@dunwoodyga.gov](mailto:tom.lapenna@dunwoodyga.gov) or by phone at (678) 382-6807. Pictures and exact locations are especially helpful to our compliance staff.
- Signs in Public Right-of-Way: Candidates will be notified of campaign signs in right-of-way by email or phone. After 48 hours from the time of notification, signs may be removed without notification to candidate. The signs will be kept at City Hall and candidates may pick them up during business hours at no charge.
- Signs in State Right-of-Way: The City will handle in the same manner as signs in City right-of-way.
- Sign Violations Other Than in Right-of-Way: Will be handled in the same manner
- Signs may be removed immediately if they present a hazard to motorists, bicyclists or pedestrians.
- If complaints are received, the specific right-of-way line needs to be determined. If there is doubt as to the location of the right-of-way line, City staff will check to determine if the sign in question is in or out of the R.O.W. A logbook noting date, time, and measurements will be kept in these instances.
- Code complaints can be made anonymously. However, the name of any person reporting a sign violation is subject to the open records act.

## Sign Code Ordinance

### Sec. 20-51. - Prohibited signs.

The following types of signs are prohibited throughout the city:

- (1) Signs on public rights-of-way other than publicly owned or maintained signs, and signs pertaining to railroad crossings;
- (2) Window signs which exceed 30 percent of the window area;
- (3) Signs that contain words, pictures, or statements which are obscene, as defined by O.C.G.A. § 16-12-80, as amended;
- (4) Signs that simulate an official traffic control device, warning sign, or regulatory sign or which hide from view any traffic control device, signal or public service sign, except as allowed by subsection 20-49(6);
- (5) Signs that emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing abilities;
- (6) Signs that interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic or which otherwise pose a hazard to traffic due to structural deficiencies in the structure of such signs;
- (7) Signs erected by nailing, fastening or affixing the sign in any manner to any tree, curb, utility pole, natural feature, fence, street sign, or other structure;
- (8) Signs that obstruct any fire escape, any means of egress or ventilation or shall prevent free passage from one part of a roof to any other part thereof, as well as signs attached to any fire escape;
- (9) Signs that do not conform to city building and electrical codes;
- (10) Signs for which a permit is required that do not display the sign permit number and the name and address of the person responsible for erecting and maintaining the sign;
- (11) Roof signs;
- (12) Multi-faced signs;
- (13) Signs that are in violation of the rules and regulations of any zoning overlay district;
- (14) Any sign constructed of non-durable material including, but not limited to, paper, cardboard or flexible plastic that has been displayed for more than 60 days. Nothing herein shall prohibit such a sign from being replaced. This provision does not apply to flags and banners which are governed by sections 20-66 and 20-67

(15) Portable signs. Excluded from this prohibition are signs mounted, wrapped or painted on a vehicle, so long as the vehicle is currently being utilized for a properly-licensed business and, whenever parked and not utilized for said business, are parked at a designated service/loading and unloading area or at the furthest-available parking space from a right-of-way. Alternatively, such a vehicle may be parked behind the business to which it relates if to do so minimizes the view of the portable sign by the general public;

(16) Abandoned or dilapidated signs;

(17) Any sign that is structurally unsound, or is a hazard to traffic or pedestrians;

(18) Animated sign except as allowed in subsection 20-51(24);

(19) Electronic sign;

(20) Beacon sign;

(21) LCD signs and similar type technologies;

(22) LED signs and similar type technologies;

(23) Changeable copy sign/reader board, except for service stations as prescribed in section 20-55, and institutional uses as prescribed in section 20-58

(24) Balloons, streamers, air or gas filled figures, except in single-family residences and fee simple multi-family residences for non-commercial use;

(25) Neon window signs larger than three square feet;

(26) Reserved;

(27) Tri-vision sign; and

(28) Any sign that changes color(s), flashes, blinks, oscillates, or intimates movement through lighting effect(s).

(Ord. No. 2010-10-39, § 1, 10-25-2010; Ord. No. 2011-07-22, § 8, 7-11-2011)

**Sec. 20-52. - Owner's consent required.**

No sign may be permitted or posted on property without the consent of the property's owner or authorized agent. Should it be determined that a sign was erected on a lot pursuant to an alleged agent's incorrect representation that the record owner of the lot in fact gave permission for the erection of a sign, the permit for such sign shall be revoked as provided in section 20-26.

(Ord. No. 2010-10-39, § 1, 10-25-2010)