

#040-015

1 FULTON COUNTY, GEORGIA

2 CITY of EAST POINT

3
4 AN ORDINANCE TO AMEND PART 10 – PLANNING AND DEVELOPMENT,
5 CHAPTER 7, SIGNS BY AMENDING SECTION 10-7002 DEFINITIONS AND
6 10-7011 SIGNS WHICH DO NOT REQUIRE A PERMIT

7 CASE NO: 2015M-008-09

8 ASSOCIATED CASE NO: N/A

9 WHEREAS, the duly elected governing authority of the City of East Point, Georgia is the Mayor and
10 Council; and

11
12 WHEREAS, the governing authority desires to amend Part 10, Chapter 7, Signs by amending Section 10-
13 7002 Definitions and Section 10-7011.5 Signs which do not require a permit; and

14 WHEREAS, the amendments are proposed in order to ensure the City's sign ordinance does not conflict
15 with the 2015 U.S. Supreme Court ruling in *Reed vs. Town of Gilbert* regarding violation of the First Amendment; and

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17 WHEREAS, the amendments contained herein clarify the erection of temporary signs.

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19 NOW BE IT ORDAINED BY THE CITY COUNCIL OF EAST POINT, GEORGIA AS FOLLOWS:

20 **Section 1. Sec.10-7011.5 SIGNS WHICH DO NOT REQUIRE A PERMIT**

21 Is being amended to read as follows:

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23 Temporary event signs provided all such signs are placed not more than sixty (60) days prior to the event and the
24 sign shall exhibit the date of the conclusion of the event. Said sign shall not exceed 36-inches by 44-inches and
25 shall be removed within five (5) days following the advertised event's conclusion;

26 **Section 2. Sec.10-7002 DEFINITIONS, TEMPORARY POLITICAL SIGNS**

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28 Is being amended by deleting the following:

1 *Temporary political sign:* A sign that is erected in private yards and along roadways informing residents of
2 candidates for office. No sign shall be located within fifteen (15) feet of the public right-of-way at a street
3 intersection, nor over the right of way.

4 **Section 3. Sec. 10-7002 DEFINITIONS, TEMPORARY EVENT SIGN**

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6 Is being amended to read as follows:

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8 Temporary event sign: A sign that is erected on private property informing citizens of upcoming events. Signs are
9 permitted for a period of no more than sixty (60) days before and five (5) days after the event without obtaining a
10 permit. Signs are permitted only for events sponsored by local governments, religious organizations, civic and
11 community organizations. Signs may be placed in the windows of commercial/office/retail establishments and shall
12 not exceed a size of 36 inches by 44 -inches (36"x 44").

13 This ORDINANCE shall be codified in a manner consistent with the laws of the State of Georgia and the City of East
14 Point.

15 **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all Sections, paragraphs,
16 sentences, clauses and phrases of this ORDINANCE are, upon their enactment, believed by the Mayor and Council
17 to be fully valid, enforceable and constitutional.

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19 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by
20 law, each and every section, paragraph, sentence, clause or phrase of this ORDINANCE, is severable from every
21 other section, paragraph, sentence, clause or phrase of the ORDINANCE. It is hereby further declared to be the
22 intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence,
23 clause or phrase of this ORDINANCE is mutually dependent upon any other section, paragraph, sentence, clause or
24 phrase of this ORDINANCE.

25 (c) In the event that any phrase, clause, sentence, paragraph, or section of this ORDINANCE shall, for any
26 reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or
27 decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity,
28 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional
or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the

1 ORDINANCE and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs
2 and sections of the ORDINANCE shall remain valid, constitutional, enforceable, and of full force and effect.

3
4 **Section 5.** ALL ORDINANCES and parts of ORDINANCES in conflict herewith are hereby expressly repealed.

5 **Section 6.** Penalties in effect for violations of Part 1 of the Code of Ordinances, City of East Point, Georgia at the
6 time of the effective date of this ORDINANCE shall be and are hereby made applicable to this ORDINANCE and
7 shall remain in full force and effect.

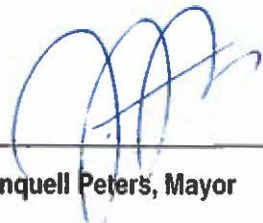
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9 **Section 7.** The effective date of this ORDINANCE shall be the date of adoption unless otherwise specified herein.

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11 **Public Hearing:** October 19, 2015

12 **Waived First Reading:** October 19, 2015

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15 **SO PASSED AND APPROVED** this 19th day of October 2015.

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18 **SPONSORED BY:**

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22 **Jannquell Peters, Mayor**

23 **APPROVED AS TO FORM:**

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25 **Brad Bowman, City Attorney**

26 **ATTEST:**

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28 **S. Diane White, City Clerk**

