

**AN ORDINANCE TO AMEND THE CITY OF
MOULTRIE ZONING ORDINANCE ADOPTED
OCTOBER 17, 1972, AS AMENDED
TO REPEAL CONFLICTING ORDINANCES
AND FOR OTHER PURPOSES**

COPY

BE IT ORDAINED by the Mayor and Council of the City of Moultrie, and it is hereby ordained by authority of the same, that

WHEREAS, the Mayor and Council adopted a zoning ordinance for the City of Moultrie on October 17, 1972, which ordinance was subsequently amended, said ordinance affecting the land then within the territorial limits of the City; and,

WHEREAS, it is the desire of the Mayor and Council to amend the zoning ordinance in certain particulars; and,

WHEREAS, the City Planning Commission has considered and forwarded recommendations to the Mayor and Council regarding the adoption of this ordinance, and,

WHEREAS, the City has afforded a public hearing with notice thereof given, as provided in O.C.G.A. Section 36-66-4;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Moultrie, and it is hereby ordained by authority of the same, that the Zoning Ordinance of the City of Moultrie adopted October 17, 1972, as amended be, and the same is hereby amended as follows:

Section 1. That Article X of the Zoning Ordinance of the City of Moultrie, Georgia be amended by striking the current Section 4.33(c) and inserting in lieu thereof a new Section 4.33(c) to read as follows:

“Section 4.33. SIGNS

- c. **Master Signage Plan:** No permit shall be issued for a new or replacement sign for any use displaying more than one sign except upon submission of a master signage plan. A master signage plan consists of one or more scaled drawings showing the location, type, size, and design of all existing signs appurtenant to the lot or parcel, and the proposed sign or signs. A master signage plan must be submitted with any application for a new development that proposes to display more than one sign, and with the first application for a building permit for a new or replacement sign to be displayed by an existing use that displays one or more signs.”

Section 2. That Article X of the Zoning Ordinance of the City of Moultrie, Georgia be amended by striking the current Section 4.33(s) and inserting in lieu thereof a new Section 4.33(s) to read as follows:

“Section 4.33. SIGNS

- s. **Abandoned Signs:** Any sign that is not structurally sound, or that no longer serves to inform or attract the public, including illegible signs and signs advertising or identifying abandoned uses, shall be considered abandoned and its removal required. Abandoned signs shall be removed within forty-five (45) days of the adoption of these regulations, or within forty-five (45) of the abandonment of the use to which the sign was appurtenant. Abandonment shall not be a matter of the owner’s intent, but shall be considered to occur whenever a use has ceased to operate for more than 6 months.”

Section 3. That Article X of the Zoning Ordinance of the City of Moultrie, Georgia be amended by striking the current Section 4.33(t)(2) and inserting in lieu thereof a new Section 4.33(t)(2) to read as follows:

“Section 4.33. SIGNS

- t. **Exempt Signs:** The following signs shall be exempt from the provisions of this section:
2. Directional, warning, or information signs authorized by federal, State, or municipal governments.”

Section 4. That Article X of the Zoning Ordinance of the City of Moultrie, Georgia be amended by adding to the current Section 4.33 a new Section 4.33(t)(10) to read as follows:

“Section 4.33. SIGNS

- t. **Exempt Signs.**
10. The area of Spence Field delineated as the ‘Exhibit Area’ as shown in Figure 4.33-5, subject to the following:
 - i. A request for the installation, construction, or erection of any sign within the area shown in Figure 4.33-5 shall be submitted to the Community Development and Planning Director, who shall review same for completeness and forward to the Spence Field Committee for recommendation to the city council;
 - ii. Such request shall include at a minimum a plat of the location, the

- size, shape, height, construction type, attachment type, and proximity to the nearest structure and there shall be deposited therewith the sum of seventy-five dollars (\$75.00) to cover the administrative costs associated with the request;
- iii. In recommending approval or denial of such request, the Spence Field Committee shall consider such criteria as established by the Community Development and Planning Director and as amended from time to time with respect to restrictions based upon location, size, height, construction, proximity to other structures and the like; and,
- iv. No sign shall be erected until such time as approved by the city council following the receipt of the recommendation from the Spence Field Committee.

Section 5. That Article X of the Zoning Ordinance of the City of Moultrie, Georgia be amended by striking the current Section 4.33(v)(21) and inserting in lieu thereof a new Section 4.33(v)(21) to read as follows:

“Section 4.33. SIGNS

v. **Definitions:**

21. Residential Sign. A residential sign is any type of sign (freestanding or attached to a building) permitted in the zoning district and appurtenant to a residential building. The maximum allocated area of residential signs may be used for any purpose, including the display of the address or the name of the occupants, advertising an approved home occupation, advertising space for rent of the sale of the property, and promoting political candidates. Any dwelling may also display, without a permit, two temporary signs of no more than six square feet each, announcing the short term sale of used household goods (i.e., a garage sale or yard sale), provided those signs are placed no more than two days before the sale and removed within one day after the sale and that all provisions of Section 90-56 of the City of Moultrie Code of Ordinances are met.”

Section 6. That Article X of the Zoning Ordinance of the City of Moultrie, Georgia be amended by striking the current Section 4.33(v)(26) and inserting in lieu thereof a new Section 4.33(v)(26) to read as follows:

“Section 4.33. SIGNS

v. **Definitions:**

26. Suspended Sign. Suspended signs are attached to the ceiling of an arcade or the framework of a canopy and hang over a sidewalk.”

Section 7. That Article X of the Zoning Ordinance of the City of Moultrie, Georgia be amended by adding to the current Section 4.33 a Figure 4.33-5 as follows:

“Section 4.33. SIGNS

FIGURE 4.33-5 SPENCE FIELD EXHIBIT AREA

(PLAT TO BE INSERTED)”

Section 8.

a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

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

paragraphs, sentences, clauses and phrases of the Ordinance shall remain valid, constitutional, enforceable and of full force and effect.

Section 9. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 10. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out therein.

Section 11. The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and City of Moultrie.

Section 12. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the cod of Ordinances, City of Moultrie, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

CITY OF MOULTRIE

By: Kevin M. McDaniel
Mayor

Attest: Gilla East
Clerk

Read first and second times

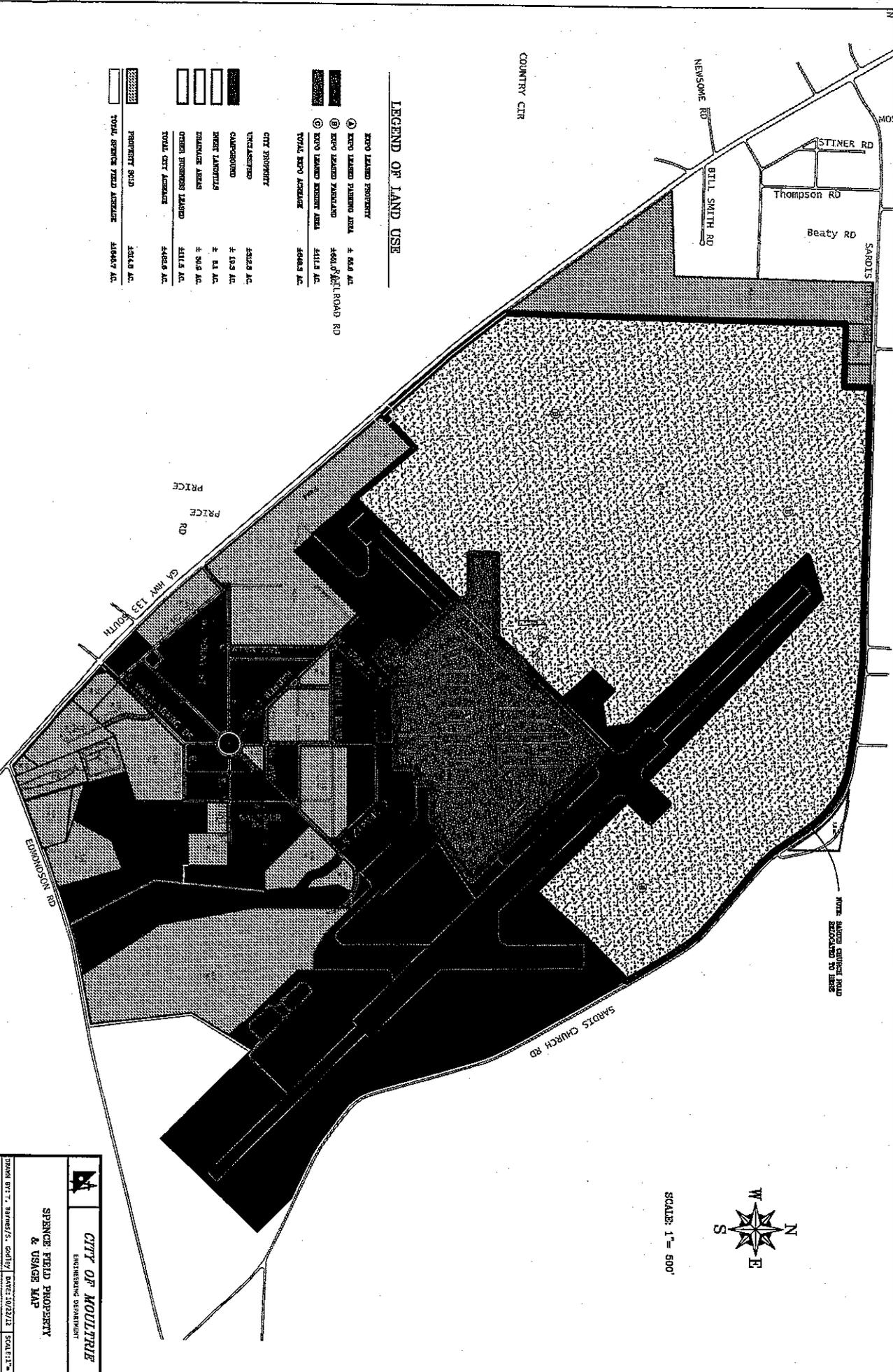
09/16/14

Read third time and passed

10/07/14

LEGEND OF LAND USE

	ZERO LEASED PROPERTY	± 66.6 AC.
	① ZERO LEASED PAVED AREA	± 66.6 AC.
	② ZERO LEASED PAVED AREA	± 66.6 AC.
	③ ZERO LEASED PAVED AREA	± 66.6 AC.
	TOTAL ZERO LEASED	± 66.6 AC.
	CITY PROPERTY	
	UNCLASSIFIED	± 13.3 AC.
	COMBINED	± 13.3 AC.
	INVEST LANDINGS	± 6.7 AC.
	DEVELOPER AREAS	± 6.7 AC.
	OTHER BUSINESS LEASED	± 6.7 AC.
	TOTAL CITY ACRES	± 66.6 AC.
	PROPERTY SOLD	± 66.6 AC.
	TOTAL SERVICE FIELD ACRES	± 66.6 AC.



CITY OF MOULTRIE
ENGINEERING DEPARTMENT

SPENCER FIELD PROPERTY & USAGE MAP

DRAWN BY: T. BAYNE/S. GORTY	DATE: 10/27/12	SCALE: 1" = 500'
CHECKED BY: ROGER RUIZ	DATE: 10/27/12	SHEET 1 OF 1

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WHEREAS, the City Planning Commission has considered and forwarded recommendations to the Mayor and Council regarding the adoption of this ordinance, and,

WHEREAS, the City has afforded a public hearing with notice thereof given, as provided in O.C.G.A. Section 36-66-4;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Moultrie, and it is hereby ordained by authority of the same, that the Zoning Ordinance of the City of Moultrie adopted October 17, 1972, as amended be, and the same is hereby amended as follows:

Section 1. That Article IV, Section 4.33 of the Zoning Ordinance of the City of Moultrie, Georgia be amended by adding thereto a sub-section 4.33(4) to read as follows:

“Section 4.33 SIGNS.

4. A Multi-Message Freestanding sign or the Multi-message portion of any Freestanding sign shall in no case exceed thirty percent (30%) of the total allowable signage pursuant to table 4.33-1.”

Section 2.

a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

c. In the event any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses and phrases of this Ordinance and that, to the greatest extent allowed by law, all remaining sections, paragraphs, sentences, clauses and phrases of the Ordinance shall remain valid, constitutional, enforceable and of full force and effect.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out therein.

Section 4. The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and City of Moultrie.

Section 5. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the code of Ordinances, City of Moultrie, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention and that all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

BE IT FURTHER ORDAINED that should any portion of this ordinance be declared unconstitutional, the remaining portions thereof shall not be affected thereby and shall remain in full force and effect. It is the intention of the City Council and it is hereby enacted that the provisions of this ordinance shall become and be made a part of the Code of the City of

Moultrie, Georgia, and that sections of this ordinance be renumbered or relettered to accomplish such intention.

CITY OF MOULTRIE

By: Winnie A. M. M. M. M.

Mayor

Attest: J. L. L. L.

Clerk

Read first and second times

12/02/14

Read third time and passed

12/16/14