

A RESOLUTION OF THE CITY OF DUNWOODY, GEORGIA IMPOSING A 90-DAY MORATORIUM ON ACCEPTANCE OF APPLICATIONS FOR OR ISSUANCE OF SIGN PERMITS FOR ANY LED SIGNS OR SIGN COMPONENTS AND CONSIDERATION OF VARIANCES PERTAINING TO SIGNS SEEKING TO UTILIZE OR IMPLEMENT ANY LED COMPONENT; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Dunwoody, Georgia (“City”) regulates signage within its City limits in Chapter 20 of the City’s Code of Ordinances (“Sign Ordinance”) for purposes of protecting public health, safety and welfare as well as preserving the unique aesthetics of the City;

WHEREAS, the Mayor and Council have recently been notified of certain concerns that the City’s prohibition on LED signs may be invalid and that the Sign Ordinance in its entirety may be at risk of being found unenforceable;

WHEREAS, the City has authorized a limited legal review of the City’s Sign Ordinance and preparation of revisions to be considered addressing certain concerns raised about the Sign Ordinance’s prohibition of LED signs;

WHEREAS, the acceptance of new sign permit and variance applications for LED signs while the City is engaged in the process of reviewing and considering revisions to the Sign Ordinance will undermine the policy goals of the City and present long-lasting conflicts with those policies;

WHEREAS, the Mayor and Council seek to maintain the status quo while the City undertakes to expeditiously review and revise its Sign Ordinance;

WHEREAS, upon completion of this review, a public hearing must still be held on any revisions to be made to the Sign Ordinance prior to adoption by the Mayor and Council;

BE IT RESOLVED by the Mayor and Council of City of Dunwoody, Georgia:

SECTION 1. For a period of ninety (90) days from the effective date of this Resolution, the City shall not accept any application for a sign permit or a variance seeking to erect, alter, or modify signs within the City’s corporate limits to utilize or incorporate any LED component or aspect; provided, however, that any full and complete sign permit or variance application received by the City prior to the effective date of this Resolution seeking to erect, modify, or alter a sign to utilize or incorporate any LED component or aspect shall be allowed to proceed. This moratorium is not intended to preclude ordinary maintenance and repair of existing signs or the erection, alteration, or modification of signs that do not possess, utilize, or incorporate any LED component or aspect.

SECTION 2. This Resolution is declared to be an emergency measure necessary for the public health, safety and general welfare of the City and its residents and property owners and

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for the further reason that it is necessary to impose an immediate moratorium to preserve the status quo while the City undertakes to expeditiously review and revise its Sign Ordinance for the protection of the public safety, health, and welfare and the City's unique aesthetics.

SECTION 3. This Resolution shall take effect and be in force immediately upon, from, and after its adoption.

SECTION 4. This Resolution shall expire ninety (90) days after adoption, unless it is earlier terminated by the adoption of a revised sign ordinance by the Mayor and Council.

SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DUNWOODY, GEORGIA on the ___ day of _____, 2016.

Approved:

Denis Shortal, Mayor

Attest:

Sharon Lowery, City Clerk

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