



4800 Ashford Dunwoody Road
Dunwoody, Georgia 30338
dunwoodyga.gov | 678.382.6700

MEMORANDUM

To: Mayor and City Council

From: Allegra DeNooyer, Planner II

Date: September 23rd, 2024

Subject: Text Amendment

Chapter 26 – Pole Banners

ITEM DESCRIPTION

This item is a proposed text amendment to the pole banner regulations in Chapter 26, Article VIII – Events in Public Places. It updates the dimensions of pole banners, clarifies the minimum height of banners above sidewalks, and clarifies the pole banner permit process.

DISCUSSION

From time to time, signage regulations require updating as city staff becomes aware of needed corrections. The current pole banner measurements – both size and height above grade - in the regulations do not accurately reflect existing conditions for pole banners. The proposed text amendment corrects these issues, as well as some minor wording changes to make the regulations clearer to understand. Current regulations limit pole banners to the acquisition of a special event permit which staff also recommends revising. In practice, there are cases where an organization wishes to put up pole banners but is exempt from the special event permitting process – for example, the Dunwoody Nature Center is not required to get a special event permit for the Butterfly Festival but would like to put up pole banners. A list of criteria for eligible organizations will be authorized to be set administratively through this revision. Lastly, the text amendment clarifies several other parts of the permitting process.

STAFF RECOMMENDATION

Staff recommends approval at the October 15, 2024 City Council meeting. There is only need for one reading of this text amendment.

ATTACHMENTS

- Current and Proposed Chapter 26, Article VIII, Division 3 Regulations

Lynn Deutsch Mayor
Eric Linton ICMA-CM City Manager
Sharon Lowery CMC City Clerk

Catherine Lautenbacher City Council Post 1
Rob Price City Council Post 2
Tom Lambert City Council Post 3

Stacey Harris City Council Post 4
Joe Seconder City Council Post 5
John Heneghan City Council Post 6

Packet page:...



Pole Banner Regulations

September 23, 2024

Summary

- At the 2023 City Council retreat, City Council expressed a desire to expand the use of banners to advertise city events as many other cities in the area do
- Text amendment lines up code with current practices for pole banners
- Text amendment captures all organizations that presently install pole banners
- Proposed text amendment updates the dimensions of pole banners, clarifies the minimum height of banners above sidewalks, clarifies the permit process, and adjusts some wording

Proposed Regulations

- Adjusting the required size (30 inches wide by 72 inches tall) of each pole banner to be a maximum, rather than the only size allowed
- Adjusting the height for pole banners as follows:
 - 7 feet above a sidewalk
 - 8 feet above a multi-use path (including sidepaths and greenways)
 - 17 feet above a roadway
- Broadening the number of organizations who can install a pole banner – not tied to special event permit
 - A list of criteria for eligible organizations will be stored with the City Clerk

Recommendation

- Staff recommends approval

Administrative Standards

- Applicant must have an existing usage agreement with the City to operate a program in a City facility or on City property.
- Applicant must organize an event where the City or its destination marketing organization is contributing over \$1,000 of either in kind contributions, direct sponsorship, or both.
- Applicant must have held a pole banner permit in 2024 under previous ordinances of the City. This criterion will remain applicable if the pole banner permit is renewed in 2025 and each subsequent year. Failure to renew for one calendar year will result in this criterion no longer being applicable.



City of
Dunwoody
Georgia

Sec. 26-279. - Pole banners.

(a) *Purpose and authority of section.*

- (1) To prescribe policy and procedures for permitting pole banners within city rights-of-way;
- (2) To promote community events and the city in general through the installation of properly designed and installed banners on utility poles and light poles in the city right-of-way;
- (3) To create an effective administrative process to manage a city pole banner permit process.

(b) *Event permit required.* A pole banner permit may only be issued to applicants who fall under one of the categories listed in the City of Dunwoody Pole Banner Administrative Standards, may only be issued with the proper acquisition of an event permit from the city according to the requirements as prescribed herein.

(c) *Definition.* Pole banners shall mean temporary signs suspended between brackets and attached to utility and/or light poles in the city right-of-way, designed to advertise events occurring within the city.

(d) *Criteria for placement.*

(1) *Installation.*

- a. The applicant is responsible for the installation, maintenance, and removal of the pole banners and the cost thereof;
- b. Installation or any part thereof must be performed by a contractor hired and directly supervised by the applicant;
- c. Banners must be affixed to the utility pole with appropriate hardware. If there is no hardware on an approved pole, it is the applicant's responsibility to install and donate the hardware. The hardware installed shall be left on the pole after the pole banner is removed;
- d. Utility poles cannot be penetrated or altered in any way by the installation or removal of pole banners except where new hardware fixtures are required. All permanent modification to poles must be approved by the director of community development.;
- e. ~~Banners are allowed only within the city corporate limits.~~

(2) *Size and installation dimensions.*

- a. Banners shall be a maximum of 30 inches wide by 72 inches tall in size;
- b. ~~Vertical orientation of the rectangle shall be 72 inches with the 30-inch width at the top and bottom in use;~~
- ~~bc.~~ No more than 24 pole banners shall be erected per permit, with only one permit allowed per applicant's special event;
- ~~cd.~~ If the pole-mounted banner is in an area with curbs the following two options exist: The bottom of each pole banner shall be a minimum of 7 feet above grade, except in the following cases:
 1. If the banner is located above a multi-use path (to include sidepaths and greenways), the bottom of the banner shall be a minimum of 8 feet above the elevation of the multi-use path; behind the face of the curb, the bottom of the banner shall be at least nine feet above the elevation of the sidewalk or ground;
 2. If any portion of the banner is located above a roadway, the bottom of the banner shall be 17 feet above the elevation of the roadway. extends beyond the curb, the bottom of the banner shall be at least twelve feet six inches above the shoulder and no closer than four feet from the nearest driving lane, as measured from the white line.
- e. ~~If the pole-mounted banner is in an area without curbs the following two options exist:~~

~~1.—If the banner overhangs a sidewalk or ground that is not a shoulder, the bottom of the banner shall be at least nine feet above the elevation of the sidewalk or ground and not closer than four feet from the edge of the nearest driving lane, as measured from the white line;~~

~~2.—If the banner overhangs the shoulder of the highway, the bottom of the banner shall be at least twelve feet six inches above the elevation of the shoulder and not closer than four feet from the edge of the nearest driving lane, as measured from the white line.~~

(3) *Material.*

- a. Banners shall be made of durable, acrylic canvas ~~or,~~ heavy reinforced vinyl, or similar resistant materials resistant to ultraviolet rays, mold and mildew;
- b. Each banner shall have ~~two double-stitched~~ reinforced hems looped at the top and bottom to facilitate installation;
- c. All banners must be printed on both sides of the banner fabric;
- d. Banner brackets have been placed and may be subsequently maintained by the city unless otherwise requested by the owner of the light or utility pole.

(e) *Illumination.*

- (1) Illumination will be allowed only on pole mounted string lights in which beams or rays of light are not directed at any portion of the traveled way or which are not of such intensity or brilliance as to cause glare or to impair the vision of the driver of a motor vehicle.
- (2) All other pole banners will not be illuminated.

(f) *Duration.*

- (1) A pole banner permit shall become null and void if the pole banners for which the permit was issued have not been installed within six months after the date of issuance.
- (2) Banners shall not occupy the right-of-way for a total duration of more than 60 days.

(g) *Restrictions and limitations.*

- (1) Banners will not be allowed on freeways or interstate highways.
- (2) No banners shall be attached to:
 - a. Traffic control devices such as signal poles;
 - b. Sign structures;
 - c. Bridges or overpass structures.
- (3) No banner shall obstruct the view of traffic or any traffic control devices.
- (4) No banner shall be allowed to obstruct, impede or endanger the flow of traffic.
- (5) No banner shall resemble traffic control signs, signals, marking devices. Banners shall not appear to direct the movement of traffic, obscure, or interfere with the effectiveness of, imitate or resemble any official traffic signal, sign or device or otherwise be a traffic hazard or distraction.
- (6) Construction projects. No banner shall be placed on any utility poles which will require removal during the permit period due to a development project in the right-of-way. If a banner is otherwise permitted for a utility pole that will need to be removed, the city shall not be responsible for replacement of the removed and/or destroyed banner and no substitute banner will be permitted.
- (7) Removal by the city. Banners may be removed by the city and/or the owner of the utility pole at any time if, in the sole discretion of the city, the banner is damaged, faded, neglected, becomes unsightly, or does not comply with the requirements of this article. The applicant shall reimburse the city its costs to remove any pole banner that the city removes as a result. The removed pole banners will be stored for 30 days after removal and then subject to disposal.

(h) *Permit requirements.*

- (1) *Application information.* Applications for pole banner permits required by this article shall be filed by the banner owner or the owner's agent with the director of community development or his/her designee. The application shall describe and set forth the following:
 - a. The total number of pole banners to be erected;
 - b. The poles which banners are to be erected shall be identified on a map as provided by the applicantcity;
 - c. Name, address, phone number, certificate of insurance, and occupational tax certificate number of the banner contractor;
 - d. The payment, in full, of the applicable application fees as determined by the mayor and city council.
- (2) *Time for consideration and issuance.* The director of community development shall issue permits for all applications meeting the requirements of this section and all other laws and ordinances regulating pole banners within 20 business days. Pole banners not meeting the requirements shall be denied pursuant to the procedure outlined in this section. The director shall give notice in writing to the applicant of his/her decision hand-delivered, mailed by certified mail, e-mailed or faxed to the address on the permit application, and post-marked on or before the twentieth business day after the director's receipt of the application. If the director fails to act within the 20-day period, the permit shall be deemed to have been granted. A sticker or other device issued by the city shall be made available by the event director/applicant upon request. Denials may be appealed according to the procedure established by this article.
- (3) *Approved permit.* The applicant must have an approved permit before commencing any work on the right-of-way.
- (4) *Indemnify and hold harmless.* The applicant agrees to accept full responsibility to the public for loss or damage caused by their installation, operation, maintenance or removal of banners on the right-of-way. The applicant will hold the city harmless from any suits brought against the city arising out of the installation, occupancy, or removal of any pole banner on the city's right-of-way. The applicant, when required by the city, shall provide or cause to be provided proper insurance coverage for public protection and employee protection during installation, maintenance or removal of any pole banner.
- (5) *Safety measures.* The applicant will be solely responsible for all appropriate safety measures to be taken when installing, maintaining and removing banners to ensure the safety of the traveling public as well as the safety of those installing or removing the banners.
- (6) *Traffic control measures.* The traveling public shall be protected from the activities of the applicant by means of signs, flagmen and traffic control devices as determined by the city in accordance with the Manual of Uniform Traffic Control devices for Streets and Highways and in accordance with any traffic control plans that are attached to the permit.
- (7) *Cancellation/revocation of permit.* The permit issued by the city may be cancelled or revoked when the city has actual knowledge that the applicant has failed to comply with the provisions of the permit or this article. In the event that the applicant has failed to remove any pole banners upon request by the city, the city reserves the right to remove any or all pole banners at the expense of the applicant. The removed pole banners will be stored for 30 days after removal. A cancellation or revocation of the permit may be appealed in the same manner as denials pursuant to this section.

(Ord. No. 2014-09-13, § 1, 9-22-2014)

Sec. 26-279. - Pole banners.

(a) *Purpose and authority of section.*

- (1) To prescribe policy and procedures for permitting pole banners within city rights-of-way;
- (2) To promote community events and the city in general through the installation of properly designed and installed banners on utility poles and light poles in the city right-of-way;
- (3) To create an effective administrative process to manage a city pole banner permit process.

(b) A pole banner permit may only be issued to applicants who fall under one of the categories listed in the City of Dunwoody Pole Banner Administrative Standards.

(c) *Definition.* Pole banners shall mean temporary signs suspended between brackets and attached to utility and/or light poles in the city right-of-way, designed to advertise events occurring within the city.

(d) *Criteria for placement.*

(1) *Installation.*

- a. The applicant is responsible for the installation, maintenance, and removal of the pole banners and the cost thereof;
- b. Installation or any part thereof must be performed by a contractor hired and directly supervised by the applicant;
- c. Banners must be affixed to the utility pole with appropriate hardware. If there is no hardware on an approved pole, it is the applicant's responsibility to install and donate the hardware. The hardware installed shall be left on the pole after the pole banner is removed;
- d. Utility poles cannot be penetrated or altered in any way by the installation or removal of pole banners except where new hardware fixtures are required. All permanent modification to poles must be approved by the director of community development.

(2) *Size and installation dimensions.*

- a. Banners shall be a maximum of 30 inches wide by 72 inches tall in size;
- b. No more than 24 pole banners shall be erected per permit, with only one permit allowed per applicant;
- c. The bottom of each pole banner shall be a minimum of 7 feet above grade, except in the following cases:
 1. If the banner is located above a multi-use path (to include sidepaths and greenways), the bottom of the banner shall be a minimum of 8 feet above the elevation of the multi-use path;
 2. If any portion of the banner is located above a roadway, the bottom of the banner shall be 17 feet above the elevation of the roadway.

(3) *Material.*

- a. Banners shall be made of durable, acrylic canvas , heavy reinforced vinyl, or similar materials resistant to ultraviolet rays, mold and mildew;
- b. Each banner shall have reinforced hems looped at the top and bottom to facilitate installation;
- c. All banners must be printed on both sides of the banner fabric;
- d. Banner brackets have been placed and may be subsequently maintained by the city unless otherwise requested by the owner of the light or utility pole.

(e) *Illumination.*

- (1) Illumination will be allowed only on pole mounted string lights in which beams or rays of light are not directed at any portion of the traveled way or which are not of such intensity or brilliance as to cause glare or to impair the vision of the driver of a motor vehicle.
 - (2) All other pole banners will not be illuminated.
- (f) *Duration.*
- (1) A pole banner permit shall become null and void if the pole banners for which the permit was issued have not been installed within six months after the date of issuance.
 - (2) Banners shall not occupy the right-of-way for a total duration of more than 60 days.
- (g) *Restrictions and limitations.*
- (1) Banners will not be allowed on freeways or interstate highways.
 - (2) No banners shall be attached to:
 - a. Traffic control devices such as signal poles;
 - b. Sign structures;
 - c. Bridges or overpass structures.
 - (3) No banner shall obstruct the view of traffic or any traffic control devices.
 - (4) No banner shall be allowed to obstruct, impede or endanger the flow of traffic.
 - (5) No banner shall resemble traffic control signs, signals, marking devices. Banners shall not appear to direct the movement of traffic, obscure, or interfere with the effectiveness of, imitate or resemble any official traffic signal, sign or device or otherwise be a traffic hazard or distraction.
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 - (7) Removal by the city. Banners may be removed by the city and/or the owner of the utility pole at any time if, in the sole discretion of the city, the banner is damaged, faded, neglected, becomes unsightly, or does not comply with the requirements of this article. The applicant shall reimburse the city its costs to remove any pole banner that the city removes as a result. The removed pole banners will be stored for 30 days after removal and then subject to disposal.
- (h) *Permit requirements.*
- (1) *Application information.* Applications for pole banner permits required by this article shall be filed by the banner owner or the owner's agent with the director of community development or his/her designee. The application shall describe and set forth the following:
 - a. The total number of pole banners to be erected;
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 - c. Name, address, phone number, certificate of insurance, and occupational tax certificate number of the banner contractor;
 - d. The payment, in full, of the applicable application fees as determined by the mayor and city council.
 - (2) *Time for consideration and issuance.* The director of community development shall issue permits for all applications meeting the requirements of this section and all other laws and ordinances regulating pole banners within 20 business days. Pole banners not meeting the requirements shall be denied pursuant to the procedure outlined in this section. The director shall give notice in writing to the applicant of his/her decision hand-delivered, mailed by certified mail, e-mailed or

faxed to the address on the permit application, and post-marked on or before the twentieth business day after the director's receipt of the application. If the director fails to act within the 20-day period, the permit shall be deemed to have been granted. A sticker or other device issued by the city shall be made available by the event director/applicant upon request. Denials may be appealed according to the procedure established by this article.

- (3) *Approved permit.* The applicant must have an approved permit before commencing any work on the right-of-way.
- (4) *Indemnify and hold harmless.* The applicant agrees to accept full responsibility to the public for loss or damage caused by their installation, operation, maintenance or removal of banners on the right-of-way. The applicant will hold the city harmless from any suits brought against the city arising out of the installation, occupancy, or removal of any pole banner on the city's right-of-way. The applicant, when required by the city, shall provide or cause to be provided proper insurance coverage for public protection and employee protection during installation, maintenance or removal of any pole banner.
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(Ord. No. 2014-09-13, § 1, 9-22-2014)



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MEMORANDUM

To: Sharon Lowery, City Clerk
From: Allegra DeNooyer, Planner II
Date: September 23rd, 2024
Subject: Pole Banner Administrative Standards

DESCRIPTION

These administrative standards are to be used by the Community Development Director to discern whether an applicant can apply for a pole banner permit. The code section referenced is Chapter 26, Article VIII.

To apply for a pole banner permit, applicants must fall under one or more of the following categories:

- a. Applicant must have an existing usage agreement with the City to operate a program in a City facility or on City property.
- b. Applicant must organize an event where the City or its destination marketing organization is contributing over \$1,000 of either in kind contributions, direct sponsorship, or both.
- c. Applicant must have held a pole banner permit in 2024 under previous ordinances of the City. This criterion will remain applicable if the pole banner permit is renewed in 2025 and each subsequent year. Failure to renew for one calendar year will result in this criterion no longer being applicable.

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(b) *Event permit required.* A pole banner permit may only be issued with the proper acquisition of an event permit from the city according to the requirements as prescribed herein.

(c) *Definition.* Pole banners shall mean temporary signs suspended between brackets and attached to utility and/or light poles in the city right-of-way, designed to advertise events occurring within the city.

(d) *Criteria for placement.*

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- d. Utility poles cannot be penetrated or altered in any way by the installation or removal of pole banners except where new hardware fixtures are required;
- e. Banners are allowed only within the city corporate limits.

(2) *Size and installation dimensions.*

- a. Banners shall be 30 inches by 72 inches in size;
- b. Vertical orientation of the rectangle shall be 72 inches with the 30-inch width at the top and bottom in use;
- c. No more than 24 pole banners shall be erected per permit, with only one permit allowed per special event;
- d. If the pole mounted banner is in an area with curbs the following two options exist:
 1. If the banner is behind the face of the curb, the bottom of the banner shall be at least nine feet above the elevation of the sidewalk or ground;
 2. If the banner extends beyond the curb, the bottom of the banner shall be at least twelve feet six inches above the shoulder and no closer than four feet from the nearest driving lane, as measured from the white line.
- e. If the pole mounted banner is in an area without curbs the following two options exist:
 1. If the banner overhangs a sidewalk or ground that is not a shoulder, the bottom of the banner shall be at least nine feet above the elevation of the sidewalk or ground and not closer than four feet from the edge of the nearest driving lane, as measured from the white line;
 2. If the banner overhangs the shoulder of the highway, the bottom of the banner shall be at least twelve feet six inches above the elevation of the shoulder and not closer than four feet from the edge of the nearest driving lane, as measured from the white line.

(3) *Material.*

- a. Banners shall be made of durable, acrylic canvas or heavy reinforced vinyl resistant to ultraviolet rays, mold and mildew;
 - b. Each banner shall have two double-stitched reinforced hems looped at the top and bottom to facilitate installation;
 - c. All banners must be printed on both sides of the banner fabric;
 - d. Banner brackets have been placed and may be subsequently maintained by the city unless otherwise requested by the owner of the light or utility pole.
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 - d. The payment, in full, of the applicable application fees as determined by the mayor and city council.
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(Ord. No. 2014-09-13, § 1, 9-22-2014)